

CITY OF LOCKPORT
COMMON COUNCIL PROCEEDINGS

Lockport Municipal Building

Regular Meeting
Official Record

August 12^h, 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:

Alderman Craig, Wyche, O'Malley, Fogle, Wiley and Kirchberger

INVOCATION

ANNOUNCEMENTS

RECESS

Recess for public input.

081226.1

APPROVAL OF MINUTES

On motion of Alderman _____, seconded by Alderman _____ the minutes of the Regular Meeting of July 22nd, 2026 are hereby approved as printed in the Journal of Proceedings. Ayes ____ .

PUBLIC HEARING

The Mayor announced a public hearing for a proposed Local Law to Amend the Code of the City of Lockport to provide a change in Zoning and Classification at 26 Market Street.

The Mayor asked the City Clerk if any petitions or communications relative to the proposed Local Law have been received.

7/27/2026 Dr. Joseph Breloff, 418 Willow Street sent in a letter in support of the proposed Local Law.

Recess for public input.

The Mayor closed the public hearing.

FROM THE MAYOR

Appointments:

FROM THE CITY CLERK

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

Reviewed by the Finance Committee.

Communications (which have been forwarded to appropriate city officials)

7/21/2026 Notice from Town Board from the Town of Lockport notifying the City of Lockport, that there will be a Public Hearing on August 5th, 2026 at 6:30pm at the Town Hall, 6560 Dysinger Road, Lockport NY, on the adoption of 3 separate Local Laws.

“Local Law Establishing a Moratorium on Data Center Permitting and Approval within the Town for a Period of Eighteen Months”.

“Local Law establishing a Moratorium on the Permitting and Approval of Cluster Development Subdivisions within the Town for a period of Eighteen Months”

“Local Law to Set the Minimum Lot Width in the Single Family Residential Use District to 100 feet”.

7/22/2026 Jeremy Beidle, 157 Olcott Street, Lockport, NY, wrote in with an urgent request for the removal of a hazardous tree.

7/27/2026 Anthony Molinaro, Assistant Principal, Lockport High School wrote a letter requesting permission to hold this year’s Homecoming Parade on Saturday September 19th, 2026

MOTIONS AND RESOLUTIONS

081226.2

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 August 13th, 2026

Seconded by Alderman _____ and adopted. Ayes ____.

081226.3

By Alderman Wiley:

Resolved, that the Mayor and Common Council do hereby extend congratulations and appreciation to the following City employees for their years of dedicated service to the City of Lockport:

<u>Employee</u>	<u>Years of Service</u>	<u>Title</u>
Jon Fredrickson	5	Firefighter
Aric Morgan	20	Police Officer
Jeremy Antonik	10	Fire Hydrant Maintenance Worker
Andrew Learn	10	Senior Water Treatment Plant Operator

Seconded by Alderman _____ and adopted. Ayes ____.

081226.4

By Alderman _____:

**State Environmental Quality Review Act
Determination of Non-Significance and Negative Declaration**

**Adoption of Proposed Rezone of the 26 Market St Parcel from its Existing Classification
of Mixed Light Industrial (MLI) to Mixed-Use Downtown (MU-D)**

Whereas pursuant to Chapter 190 (Zoning) of the Lockport City Code (“Zoning Code”) § 190-46.1, the City of Lockport Common Council is vested with the authority to amend the Zoning Code; and

Whereas the Common Council seeks to amend § 190-11.3(A) as the Official Zoning Map of the City of Lockport, to provide for a change in zoning 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 (MLI) to Mixed Use – Downtown (MU-D); and

Whereas the Property is a parking lot serving 4 Market Street also known as the Bewley Building, a five-story, wedge-shaped commercial block building with a rusticated ashlar stone base and brick upper floors, as well as incorporation of stone from a 19th century opera house that once stood on the site, and the Bewley Building is at the center of the City’s downtown core history, as it has been listed on the State and National Register of Historic Places for almost a decade; and

Whereas the Property and Bewley Building parcel are under common ownership and the parking on the Property serves the Bewley Building; and

Whereas the Bewley Building parcel is zoned MU-D but the abutting Property is zoned MLI, which makes both continued operations and any potential redevelopment or adaptive reuse of this significant and historic part of the City overly cumbersome; and

Whereas the proposed amendment will align the zoning of abutting parcels to MLI, which will further zoning, DRI, and Comprehensive Plan initiatives that ensure the growth and stability of the downtown core and City as a whole; and

Whereas, the Common Council has determined that the proposed amendment constitutes an unlisted action pursuant to State Environmental Quality Review Act (SEQRA) regulations 6 NYCRR 617.7; and

Whereas, any development of the Bewley Building and/or Property, as well as a sale between private parties for the Bewley Building and/or Property that results in a development, will require independent environmental review under SEQRA, and independent site plan or special use permit review as set forth in the Zoning Code; and

Whereas, the Common Council, as lead agency, duly considered the proposed amendment, including completion of parts 1, 2, and 3 of the Short Environmental Assessment Form, the criteria for determining significance as set forth in 6 NYCRR § 617.7(c) of the SEQRA regulations, and such other information deemed appropriate, including public comments received at or before the public hearing on August 12, 2026, took a hard look at those relevant areas of environmental concern, and determined that the proposed amendment will not result in any significant adverse environmental impact.

Now, therefore, be it resolved that the Common Council, as Lead Agency declares:

1. Based upon a thorough review and examination of the known facts relating to the proposed amendment, all potentially significant adverse environmental impacts, and the

Application materials submitted together with the entire record and proceedings, the Common Council, as Lead Agency, determines that the proposed amendment will not have a significant adverse impact on the environment, that a draft environmental impact statement will not be prepared, and, as a result, the Common Council, as Lead Agency hereby issues a Negative Declaration of environmental significance.

2. The attached Short Environmental Assessment Forms Parts 1, 2, and 3, incorporated herein by reference, is incorporated herein and made part of this Negative Declaration.

Seconded by Alderman _____ and adopted. Ayes ____.

081226.5

By Alderman _____

Resolved that the following Local Law be and the same is hereby adopted:

**LOCAL LAW NO. 2 OF THE YEAR 2026
CITY OF LOCKPORT
COUNTY OF NIAGARA, STATE OF NEW YORK**

A Local Law Amending the Zoning Code of the City of Lockport, New York to Provide a Change in Classification of a Parcel of Land Identified as 26 Market Street

Whereas, on March 26, 2025, the City of Lockport adopted a comprehensive update to Chapter 190 (ZONING) of the City Code and the Official Zoning Map, Local Law No. 1 of 2025; and

Whereas, in furtherance of the City's Comprehensive Plan, Downtown Revitalization Initiative (DRI), and health, safety, and welfare of this community, the City Common Council seeks to exercise its right to amend the City Zoning Code; and

Whereas, pursuant to Zoning Code § 190-46.1 the City of Lockport Common Council is vested with the authority to amend the Zoning Code; and

Whereas, the Common Council seeks to amend § 190-11.3(A) as the Official Zoning Map of the City of Lockport, to provide for a change in zoning 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 (MLI) to Mixed Use – Downtown (MU-D); and

Whereas, the Property is a parking lot serving 4 Market Street also known as the Bewley Building, a five-story, wedge-shaped commercial block building with a rusticated ashlar stone base and brick upper floors, as well as incorporation of stone from a 19th century opera house that once stood on the site, and the Bewley Building is at the center of the City's downtown core history, as it has been listed on the State and National Register of Historic Places for almost a decade; and

Whereas, the Property and Bewley Building parcel are under common ownership and the parking on the Property serves the Bewley Building; and

Whereas, the Bewley Building parcel is zoned MU-D but the abutting Property is zoned MLI, which makes both continued operations and any potential redevelopment or adaptive reuse of this significant and historic part of the City overly cumbersome; and

Whereas, the proposed amendment will align the zoning of abutting parcels to MLI, which will further zoning, DRI, and Comprehensive Plan initiatives that ensure the growth and stability of the downtown core and City as a whole; and

Whereas, the Common Council referred and the Planning Board reviewed the proposed amendment on June 1, 2026, and found the proposed amendment consistent and in furtherance with the Comprehensive Plan and DRI and recommended approval of the proposed amendment; and

Whereas, pursuant to General Municipal Law § 239-m and the Intermunicipal Agreement with the Niagara County Planning Board, a full statement of the proposed amendment was referred to the Niagara County Planning Board; and

Whereas, on May 18, 2026, the Niagara County Planning Board determined that the rezoning had no significant countywide or inter-community impact, referral No. 7046; and

Whereas, the Common Council held a duly noticed public hearing on Wednesday August 12, 2026, at which all persons who wished to speak were heard; and

Whereas, the Common Council has determined that the proposed amendment constitutes an unlisted action pursuant to State Environmental Quality Review Act (SEQRA) regulations 6 NYCRR 617.7; and

Whereas, the Common Council, as lead agency, duly considered the proposed amendment, including all parts of the Short Environmental Assessment Form, the criteria for determining significance as set forth in 6 NYCRR § 617.7(c) of the SEQRA regulations, and such other information deemed appropriate, including public comments received at or before the public hearing on August 12, 2026, took a hard look at those relevant areas of environmental concern, and determined that the proposed amendment will not result in any significant adverse environmental impact; and

Whereas, any development of the Bewley Building and/or Property, as well as a sale between private parties for the Bewley Building and/or Property that results in a development, will require independent environmental review under SEQRA, and independent site plan or special use permit review as set forth in the Zoning Code; and

Whereas, the Common Council finds that the proposed amendment is in accordance with the City's Comprehensive Plan, Zoning Code, DRI and satisfies the Review Criteria as set forth in Zoning Code § 190-46.1.F; now therefore

Be it enacted by the Common Council of the City of Lockport as Follows:

- I. **Authority:** This Local Law is hereby adopted pursuant to Municipal Home Rule Law § 10 and General City Law § 20(24).
- II. **Rezoning A Certain Parcel from Mixed Use – Downtown (MU-D)**
The City of Lockport Code, as contained in Chapter 190, more particularly designated in § 190.11.3(A) as the “Official Zoning Map of the City of Lockport,” shall be amended to provide for a change in the Zoning Map whereby the Zoning Classification of:
26 Market Street, Lockport, NY 14094, SBL No. 109.55-1-5
is hereby amended and rezoned from its existing classification of Mixed Light Industrial (MLI) to Mixed Use – Downtown (MU-D).
- III. **Filing:** This Local Law shall take effect immediately upon filing with the Secretary of State.

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

Alderman Craig:
Alderman Wyche:
Alderman O'Malley:
Alderman Fogle:
Alderman Wiley:
Alderman Kirchberger:

081226.6

By Alderman _____

Resolution to Approve 10th Annual International Overdose Awareness Day Rally at Veteran's Memorial Park

Resolved, that pursuant to the request of the organizers, permission is hereby granted to Independent Living of Niagara, Addict 2 Addict (A2A), Family 2 Family Niagara, and the Lockport Overdose Rally Committee to conduct the 10th Annual International Overdose Awareness Day Rally on Monday, August 31, 2026, from 5:00 p.m. until approximately 8:00 p.m., at Veteran's Memorial Park, 400 East Avenue, Lockport, New York; and be it further

Resolved, that the event shall include overdose awareness activities, educational resources, Narcan training, testimonials, a remembrance table, and a flameless candlelight vigil; and be it further

Resolved, that this approval is contingent upon the organizers filing with the City Clerk a Certificate of Insurance naming the City of Lockport as an additional insured,

Seconded by Alderman _____ and adopted. Ayes ____.

081226.7

By Alderman _____

Approval of Community Tailgate Fundraiser and Main Street Closure – October 12, 2026

Resolved, that pursuant to their request, permission is hereby granted to Lockport Main Street, in conjunction with Bills Elvis (John Lang), Lock 34 Bar & Grill, and Gonzos, to conduct a Community Tailgate Fundraiser in support of local charities, including the Challenger Sports League, on Monday, October 12, 2026, from 12:00 p.m. until approximately 7:00 p.m., on Main Street between Cottage Street and Locust Street; and be it further

Resolved, that the following requests are hereby approved:

- Temporary closure of Main Street to through traffic from Cottage Street to Pine Street and from Pine Street to Locust Street during the event, subject to the approval of the Chief of Police;
- Temporary No Parking Zone on Main Street from 6:00 a.m. to 7:00 p.m. on October 12, 2026, with appropriate signage;
- Placement of portable sanitation units along Main Street;
- Authorization for the Director of Highways and Parks to provide and arrange delivery and pickup of barricades and refuse containers for the event;

- Permission to utilize available electrical service at the City light posts, subject to approval by the appropriate City department;
- Permission to utilize the City Stage;
- Invitation for participation by the Lockport Police Department and Lockport Fire Department, subject to departmental availability; and be it further

Resolved, that the Common Council hereby approves a waiver of the City's Open Container Law for the duration of the event within the approved event area, contingent upon all participating vendors obtaining the required New York State Liquor Authority Temporary Beer, Wine, and Cider Permits, complying with all applicable State and local laws, and operating only within the licensed premises approved by the NYS Liquor Authority; and be it further

Resolved, that this approval is contingent upon the organizers filing with the City Clerk a Certificate of Insurance naming the City of Lockport as an additional insured.,

Seconded by Alderman _____ and adopted. Ayes ____.

081226.8

By Alderman _____

Approval of First African Methodist Episcopal Church Community Day

Resolved, that pursuant to their request, permission is hereby granted to First African Methodist Episcopal Church to conduct its Community Day 2026 on Sunday, September 20, 2026, from 12:30 p.m. to 4:00 p.m., at 123 South Street, Lockport; and be it further

Resolved, that approval includes the temporary closure of South Street between Washburn Street and Locust Street during the event, subject to the approval of the Chief of Police; and be it further

Resolved, that this approval is contingent upon the organizers complying with all applicable City ordinances and departmental requirements and filing with the City Clerk a Certificate of Insurance naming the City of Lockport as an additional insured.

Seconded by Alderman _____ and adopted. Ayes ____.

081226.9

By Alderman _____

Niagara County Fair Banner

Resolved, that pursuant to their request, Cornell Cooperative Extension is hereby granted permission to erect a banner across East Avenue at Davison Road at least 17 feet from the ground to promote the Niagara County Fair to be held from August 5th through August 9th, 2026. Said permission is subject to the Cornell Cooperative Extension filing a certificate of insurance with the City Clerk naming the City of Lockport as additional insured and subject to payment of \$250, payable to the City of Lockport.

Seconded by Alderman _____ and adopted. Ayes ____.

081226.10

By Alderman _____

Resolution to Approve Gospel Festival at Prayer Room Ministries

Whereas, Secured By Grace Protection Agency has partnered with The Prayer Room Ministries to host a Gospel Festival at 440 Hawley Street, Lockport, New York, on Saturday, September 26, 2026; and

Whereas, the organizers have requested permission to conduct the event at this location and to temporarily close Hawley Street between Corinthia Street and Grand Street to accommodate anticipated attendance and ensure the safety of participants and the public;

Resolved, that the Common Council of the City of Lockport hereby approves the request, contingent upon filing a Certificate of Insurance with the City Clerk naming the City of Lockport as an additional insured; and be it further

Resolved, that the Director of Highways and Parks is hereby authorized and directed to coordinate with the event organizers and provide the necessary barricades to facilitate the temporary closure of Hawley Street between Corinthia Street and Grand Street for the duration of the event.

Seconded by Alderman _____ and adopted. Ayes ____.

081226.11

By Alderman _____

Ida Fritz Park Anniversary Celebration

Resolved, that pursuant to the request, permission is hereby granted to conduct an Ida Fritz Park Anniversary Celebration on Saturday, August 29, 2026, at Ida Fritz Park; and be it further

Resolved, that the event may include food vendors and food trucks, amplified music, entertainment, and other family-friendly activities, subject to compliance with all applicable City codes, permits, inspections; and be it further

Resolved, that the Director of Highways and Parks is hereby authorized and directed to coordinate with the event organizers and provide available City equipment and services as necessary for the event, including barricades, picnic tables and refuse containers.

Resolved, that this approval is contingent upon the event organizers filing a Certificate of Insurance with the City Clerk naming the City of Lockport as an additional insured.

Seconded by Alderman _____ and adopted. Ayes ____.

081226.12

By Alderman _____

Authorize Tax Lien Foreclosure and Proceeds Sharing Agreement with Niagara County

Whereas, the City of Lockport has instituted an action In Rem for the foreclosure of certain tax liens against various parcels of real property within the City of Lockport, pursuant to

the City of Lockport Charter and Article 11, title 3 of the Real Property Tax Law of the State New York, and

Whereas, the County of Niagara has a claim for Niagara County tax liens against all or some of the parcels of real property which are the subject of said action, and

Whereas, the provisions of the Real Property Tax Law authorize tax districts having an interest by way of tax lien in real property, such as the City of Lockport and County of Niagara, to enter into an agreement making provision for the sale of real property without public sale and for the sharing of the net proceeds of such sale between the City of Lockport and the County of Niagara, and

Whereas, the City of Lockport has tendered to the County of Niagara such an agreement, which, among other things, provides that the interests of said City and this County in each parcel and in the proceeds of any sale of such parcel shall be apportioned based on the fraction that the unpaid taxes, tax liens and other charges accessible against the parcel owed to or owned by the City and County respectively bear to the total City and County taxes, tax liens and other such charges, but without reference to the penalties or interest accrued on any unpaid tax or tax lien, and

Whereas, the proposed agreement is fair and reasonable and allows the County to avoid the cost and expense of a separate In Rem foreclosure action against the same parcels, now, therefore, be it

Resolved, that the City of Lockport Common Council finds and determines that the proposed agreement, a true copy of which is attached to the Clerk's file copy of this resolution, is fair and reasonable in all respects and advances the interests of the City of Lockport in its collection of taxes and tax liens on real property located within the City of Lockport, and it be further

Resolved, that the Mayor is authorized and directed to execute and deliver said agreement on behalf of the City of Lockport.

2024 In Rem Action, Index No. E185969/2025

Seconded by Alderman _____ and adopted. Ayes ____.

081226.13 Being prepared.

081226.14

By Alderman _____

Resolution to Approve the Consolidation of the Tree and Parks Committees

Whereas, the Mayor has recommended consolidating the existing Tree Committee and Parks Committee into a single advisory committee to improve coordination, communication, and efficiency in matters relating to the City's parks, trees, and public green spaces; and

Whereas, combining the two committees will allow for a more comprehensive and coordinated approach to planning, maintenance, preservation, and enhancement of the City's parks and urban forest;

Now therefore be it resolved, that the Common Council of the City of Lockport hereby approves the consolidation of the existing Tree Committee and Parks Committee into one committee to be known as the Tree and Parks Committee; and be it further

Resolved, that all duties, responsibilities, and functions previously assigned to the Tree Committee and Parks Committee shall henceforth be carried out by the Tree and Parks Committee, subject to the provisions of the City Charter, City Code, and any applicable policies; and be it further

Resolved, that the Mayor and City Clerk are hereby authorized to take such administrative actions as may be necessary to implement this consolidation, including updating committee rosters, records, and official City documents to reflect the change.

Seconded by Alderman _____ and adopted. Ayes ____.

081226.15

By Alderman _____

Resolution to Approve Grant Street Block Party

Resolved, that pursuant to their request, permission is hereby granted the residents of Grant Street to barricade their Street, at the Beattie and Grant Street intersection, on August 23rd, 2026 from 3-8pm for a block party, and be it further

Resolved, that the Director of Highways and Parks be and the same is hereby authorized and directed to arrange for delivery of barricades to said area at 9am to 9pm prior to said event.

Seconded by Alderman _____ and adopted. Ayes ____.

081226.16

By Alderman Wyche:

Resolved, that pursuant to Corporation Counsel approval, the Chief Operator- Water Filtration Plant is authorized to go out to bid and/or enter into a purchasing contract for the purchase of chemicals.

Seconded by Alderman _____ and adopted. Ayes ____.

081226.17 Being prepared.

081226.18

ADJOURNMENT

At ____pm Alderman O'Malley moved the Common Council be adjourned until 6:00pm, Wednesday, August 26th, 2026.

Seconded by Alderman _____ and adopted. Ayes ____.

Emily Stoddard
City Clerk