

CITY OF LOCKPORT
CORPORATION PROCEEDINGS

Lockport Municipal Building

Regular Meeting
Official Record

April 3, 2019
5:30 P.M.

Mayor Michelle M. Roman called the meeting to order.

ROLL CALL

The following Common Council members answered the roll call:

Aldermen Abbott, Devine, Farrell, Oates and Wohleben.

Alderman Eggert absent.

MAYOR'S UPDATE

RECESS

Recess for public input.

040319.1

APPROVAL OF MINUTES

On motion of Alderman Devine, seconded by Alderman Abbott, the minutes of the Regular Meeting of March 20, 2019 are hereby approved as printed in the Journal of Proceedings. Ayes 5. Carried.

FROM THE MAYOR

Appointments:

4/2/19 Mark A. Cocco, 77 Pine Street, Lockport, NY – appointed as Senior Water & Maintenance Worker, Water Distribution Department, effective March 29, 2019. Said appointment is provisional and subject to the City of Lockport Municipal Civil Service rules and regulations.

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. Referred to the Finance Committee.

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

3/22/19 Barbara A. McGaffin, 114 Niagara Street, Lockport, NY – request permission to conduct the third annual Thomas C. Rotondo Jr. Memorial Scholarship Fund Road Race on July 27, 2019.
Referred to the Committee of the Whole.

4/3/19 Richelle J. Pasceri, City Clerk – notification the Lockport Municipal Offices will be closed as follows in the month of April in observance of Good Friday:

Friday, April 19th

There will be no change in the garbage pickup schedule.

Notice of Defect:

03/21/19 229 Niagara Street – Tree
03/25/19 125 Akron Street – Tree and Sidewalk
03/25/19 532 High Street – Tree
Referred to the Director of Streets and Parks.

Notice of Claim:

03/21/19 Nicole Payne, 61 Morrow Avenue, Lockport, NY
03/22/19 Lockport Dental Group, 39 Elizabeth Drive, Lockport, NY
Referred to the Corporation Counsel.

MOTIONS & RESOLUTIONS

040319.2

By Alderman Oates:

Resolved, that the Mayor and City Clerk be authorized to issue orders in favor of the claimants for payrolls, bills, and services to be paid on April 3, 2019 as follows:

| | | |
|------------------|------------------|---------------|
| General Fund | Fund A | \$142,522.16 |
| Water Fund | Fund FX | \$ 22,740.13 |
| Sewer Fund | Fund G | \$ 24,445.78 |
| Capital Projects | Fund H | \$ 2,192.50 |
| Refuse Fund | Fund CL | \$ 89.10 |
| Self Insurance | Fund MS | \$139,014.41 |
| Worker's Comp | Fund S | \$ 7,500.00 |
| Payroll | Pay Date 3/21/19 | \$ 447,256.67 |

Seconded by Alderman Farrell and adopted. Ayes.

040319.3 Market St. Edible Garden - WITHDRAWN

040319.4

By Alderman Farrell:

Resolved, that pursuant to their request, the Thomas C. Rotondo, Jr. Scholarship Fund is hereby granted permission to conduct a fundraising event including a 5k run and 1 mile walk in the memory of former Lockport Mayor Thomas Rotondo, Jr. on Saturday, July 27, 2019 at Widewaters Marina starting at approximately 9:00 am subject to approval of the run/walk route by the Police Chief, and be it further

Resolved, that permission is granted to use the park pavilion, restrooms and place a portable stage adjacent to the west side of the restroom building at Widewaters, and also to have music for said event, subject to filing a certificate of insurance with the City Clerk naming the City of Lockport as additional insured.

Seconded by Alderman Wohleben and adopted. Ayes 5.

040319.5

By Alderman Abbott:

Whereas, the City of Lockport Police Department participates in joint enforcement activities with the Federal Drug Enforcement Agency and the Niagara County Drug Task Force; and

Whereas, the City of Lockport Police Department receives, from time to time, funds generated from these joint enforcement activities which are to be used for the purchase, maintenance and/or replacement of capital equipment within the Police Department; and

Whereas, the City must amend its 2019 budget to properly account for the receipt and use of these funds; and

Whereas, the Police Department has identified a need for two additional APX 8000 portable radios w/supplies and four additional Axon X26P Tasers w/supplies;

Now, therefore, be it resolved, that the 2019 General Fund Budget is hereby amended as follows:

Revenue:

Increase: A.3120.34389 Other Federal Public Safety \$18,500

Expense:

Increase: A.3120.52070 Public Safety Equipment \$18,500

Seconded by Alderman Oates and adopted. Ayes 5.

040319.6

By Alderman Oates:

WHEREAS, the City of Lockport Common Council wishes to assess the advisability of submitting a NYS Community Development Block Grant (CDBG) application to the New York State Office of Homes and Community Renewal (the "OCR") for a grant to fund incentives supporting first-time homebuyers purchasing homes within the City of Lockport, and

WHEREAS, the City of Lockport is required to hold a public hearing to provide information to the public and to consider citizen comments regarding community needs and the plan proposal prior to submitting an application for CDBG funding, now;

THEREFORE, BE IT RESOLVED, that the Common Council hereby calls for a Public Hearing whereas all interested parties shall be heard regarding the CDBG program, the City's community development programs, and the proposed funding application. Such Public Hearing to be held on April 17, 2019, at 5:30 pm in the Common Council Chambers at One Locks Plaza, Lockport, New York; and be it further

RESOLVED, that at least eight (8) days' notice of such hearing shall be given by publishing such notice at least once in the official newspaper of the City.

Seconded by Alderman Wohleben and adopted. Ayes 5.

040319.7

By Alderman Devine:

Resolved, that a public hearing be held at the Common Council Meeting of April 17, 2019 starting at 5:30 P.M. in the Common Council Chambers, Lockport Municipal Building, One Locks Plaza, Lockport, NY relative to a request for a Special Use Permit made by Robert Fisch, for approval for a motorcycle repair/retail shop to be located at 485 Niagara Street, situated in a R-2 Zone, and be it further

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

Seconded by Alderman Oates and adopted. Ayes 5.

040319.8

By Alderman Farrell:

Resolved, that the Youth Board is hereby granted permission to conduct an Independence Day Parade on Wednesday, July 3, 2019, commencing at 7:00 PM at Ida Fritz Park, east on Main Street to Washburn Street, subject to the approval of the Parade route by the Police Chief and issuance of a parade permit by the City Clerk, and be it further

Resolved, to barricade the following streets beginning at 5:00 PM on July 3, 2019 for the City of Lockport fireworks display to be held on Canal Street:

Pine Street from Main to Gooding
Gooding from Pine to Caledonia
Lock St from Pine to Caledonia
Ontario St from Church to Pine
Canal St between the pedestrian walk and Church
Church Street (Big Bridge) from Main to Niagara St.,

and be it further

Resolved, that the Main Street Parking Lot and the Pine Street Parking Lot be closed beginning at 5:00 PM, and the Canal Street Parking Lot be closed from 2:00 PM until 11:00 PM and temporary no-parking on the south side of Main Street for the parade, and be it further

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

Motion was made by Alderman Wohleben seconded by Alderman Farrell to amend resolution 040319.8 to include:

And be it further Resolved, the Mayor, subject to Corporation Counsel approval, is hereby authorized and directed to amend the contract with Young Explosives to hold the fireworks on July, 3 2019 at the downtown location used in 2018.

Seconded by Alderman Wohleben. Ayes 3. Nos 2.
Aldermen Devine and Oates voted no. Motion Failed.

040319.9

By Alderman Abbott:

WHEREAS, the Americans with Disabilities Act of 1990 "ADA" and the 2010 ADA Standards for Accessible Design of the Department of Justice set minimum requirements for newly designed and constructed or altered State and local government facilities, public accommodations, and commercial facilities to be readily accessible to and usable by individuals with disabilities; and

WHEREAS, the public restrooms located at the Municipal Building of the City of Lockport are not in compliance with the standards established in the Americans with Disabilities Act of 1990 "ADA" and the 2010 ADA Standards for Accessible Design; and

WHEREAS, the Engineering Department prepared a bid package to renovate restroom facilities at the Municipal Building and accepted bids from contractors on March 15, 2019, which were publicly opened and read as follows: Cavlee Development, Inc. \$31,000.00 and Sicoli Construction Services \$54,900.00; and

WHEREAS, the Engineering Department has reviewed the bids and recommends that the City awards the contract of Municipal Building Restroom Improvements, Job No. 2363, to Cavlee Development, Inc.; now, therefore, be it

RESOLVED, that the Mayor, subject to Corporation Counsel Approval, is hereby authorized to execute an Agreement with Cavlee Development, Inc., 5730 Keck Road, Lockport NY 14094 in the amount of \$31,000.00 plus 15% of Contingency to perform renovations at a public restroom facility located at Municipal Building, 1 Locks Plaza, Lockport NY to comply with ADA Standards; Now, therefore, be it

Resolved, that the 2019 General Fund Budget is hereby amended as follows:

Expense:

Decrease: A.1490.51010 Public Works Administration \$35,650.00

Increase: A.1620.52020 Building Maintenance \$35,650.00

Seconded by Alderman Oates and adopted. Ayes 5.

040319.10 Home rule request – re-levy unpaid housing code violations- WITHDRAWN

040319.11 Extend Moratorium re: Microcell- WITHDRAWN

040319.12 Grit Chamber WWTP – WITHDRAWN

040319.12A

By Alderman Abbott:

Whereas, the Common Council has determined that it will be of mutual benefit to the City of Lockport and the Lockport School District to have an agreement for a School Resource Officer; and

Whereas, the Lockport School District Board of Education approved the proposed contract therefor on March 27, 2019; now therefore be it

Resolved, the Mayor is hereby authorized, upon Corporation Council approval, to execute such contract on behalf of the City of Lockport.

Seconded by Alderman Wohleben and adopted. Ayes 5.

040319.13

ADJOURNMENT

At 6:08 P.M. Alderman Devine moved the Common Council be adjourned until 5:30 P.M., Wednesday, April 17, 2019.

Seconded by Alderman Oates and adopted. Ayes 5.

RICHELLE J. PASCERI
City Clerk