

**CITY OF LOCKPORT**  
**CORPORATION PROCEEDINGS**

Lockport Municipal Building

Regular Meeting  
Official Record

May 11, 2022  
6:30 P.M.

Mayor Michelle M. Roman called the meeting to order.

**ROLL CALL**

The following Common Council members answered the roll call:

Aldermen Barnard, Beakman, Devine, Fogle, Kantor, and Pasceri.

**INVOCATION**

**MAYOR'S UPDATE**

**RECESS**

Recess for public input.

**051122.1**

**APPROVAL OF MINUTES**

On motion of Alderman Beakman, seconded by Alderman \_\_\_\_\_, the minutes of the Regular Meeting of April 27, 2022 are hereby approved as printed in the Journal of Proceedings. Ayes \_\_\_\_\_. Carried.

**PUBLIC HEARING**

The Mayor announced a public hearing on a proposed Local Law amending Section 125 of the City Code-Noise.

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

Recess for public input.

The Mayor closed the public hearing.

## **PUBLIC HEARING**

The Mayor announced a public hearing on a proposed Local Law amending Chapter A-192, Section 40-a of the City Code-Master Plumber.

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

Recess for public input.

The Mayor closed the public hearing.

## **PUBLIC HEARING**

The Mayor announced a public hearing on a Special Use Permit to harbor hen chickens at 67 Rochester Street.

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

5/3/22 Jeff Tracy, Lockport Planning and Zoning Board—it was the determination of the Board to not recommend the request to the Council.

Recess for public input.

The Mayor closed the public hearing.

## **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:**

5/11/22 Paul K. Oates, City Clerk – notification of bids received on May 6, 2022 for the Railyard Skate Park Project.

The following bid proposal for the above referenced was received and opened on May 6, 2022:

Grindline Skateparks, Inc.  
Seattle, WA

\$550,000

Referred to Committee of the Whole

5/9/22 Paul K. Oates, City Clerk – notification that the Lockport Municipal Offices will be closed as follows in the month of May in observance of Memorial Day.

Monday, May 30<sup>th</sup>

Garbage will be collected on the day following regularly scheduled collection that week.

Referred to the Media.

4/20/22 Vanessa Bates-Mixson, Community Health Center of Buffalo, Inc., requesting permission to close Heritage Court to traffic on August 8<sup>th</sup> for a National Health Center Week celebration.

4/20/22 Cand'ese White, Healthy Families Niagara, requesting permission to hold a free, 'Baby Expo' at Ida Fritz Park on June 29<sup>th</sup>.

5/2/22 Rebecca Rowe, Lock City Moose Lodge #617, requesting permission to close Monroe Street at Jackson Street for a Community Vendor Fair on May 21<sup>st</sup>, 2022.

5/5/22 Daniel Colpoys, Mental Health Association in Niagara County, requesting permission to conduct Compeer Niagara 2022 summer program at Rogers Park.

Referred to Committee of the Whole.

**Notice of Claim:**

5/6/22 Chris Fava, 720 10<sup>th</sup> Street, Apt. 904, Niagara Falls, NY

5/6/22 Security Mutual Insurance Company – Subrogation for Glenn Ferry, 21 Outwater Drive, Lockport, NY

Referred to the Corporation Counsel.

**Notice of Complaint:**

4/25/22 159 Washington Street – tree

4/29/22 Locust Street – potholes

5/3/22 174 Spalding Street – tree

5/3/22 107 Adam Street – tree

5/4/22 133 Irving Street – tree

Referred to the Director of Streets and Parks

**MOTIONS & RESOLUTIONS**

**051122.2**

By Alderman Beakman:

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 May 12, 2022 as follows:

General Fund	Fund A	\$117,816.47
Water Fund	Fund FX	\$36,385.30
Sewer Fund	Fund G	\$53,521.65
Capital Projects	Fund H	\$461,420.64
Self-Insurance	Fund MS	\$1,552.30
Refuse & Recycle	Fund CL	\$105,281.65

Payroll	Pay Date	4/21	\$486,947.23
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Seconded by Alderman \_\_\_\_\_ and adopted. Ayes \_\_\_\_\_.

### 051122.3

By Alderman Beakman:

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>
Mark F. Sobieraski	25	Municipal Worker-Public Works
Jennifer G. Wochna	5	Sr. Account Clerk-City Clerk's Office

Seconded by Alderman \_\_\_\_\_ and adopted. Ayes \_\_\_\_\_.

### 051122.4

By Alderman \_\_\_\_\_:

Resolved, that the City Clerk is hereby authorized and directed to forward a communication to the Lockport City School District requesting permission to conduct the fireworks display at Aaron Mossell Junior High School, and be it further

Resolved, that the fireworks display shall be conducted on Monday, July 4, 2022, with the rain date being Tuesday, July 5, 2022

Seconded by Alderman \_\_\_\_\_ and adopted. Ayes \_\_\_\_\_.

### 051122.5 – Award bid-Rail Yard Skate Park Project – WITHDRAWN

### 051122.6

By Alderman \_\_\_\_\_:

Whereas, the Community Health Center, 38 Heritage Court, is holding its yearly celebration of, "National Health Center Week" with an event Tuesday, August 8, 2022; and

Whereas, the event will promote community health education and awareness, and will feature testing, screenings, and vaccines; and

Whereas, back to school supplies, raffles, family-oriented activities and prizes will be offered at no cost; now, therefore, be it

Resolved, that pursuant to their request, permission is hereby granted to the Community Health Center of Lockport to barricade Heritage Court, with designated parking in the lot for Heritage Court Plaza businesses, on Tuesday, August 8, 2022 from noon until 4pm for a healthcare event; 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 said area prior to said event.

Seconded by Alderman \_\_\_\_\_ and adopted. Ayes \_\_\_\_\_.

#### **051122.7**

By Alderman \_\_\_\_\_:

Whereas, Pinnacle Community Services, formerly Family & Children's Service of Niagara, conducts a Healthy Families Niagara program; and

Whereas, the program's goal is to prevent child abuse and neglect through supporting positive parent-child interactions, the health and development of families and children, and self-sufficiency; and

Whereas, one of their community events to educate new families to the program is a "Baby Expo" that provides the opportunity to learn about the resources offered by area agencies that provide services to expectant and parenting families, and features prizes, demos, and mini workshops; now, therefore, be it

Resolved, that pursuant to their request, Pinnacle Community Services is hereby granted permission to hold a free, "Baby Expo" at Ida Fritz Park on Wednesday, June 29, 2022 from 11am until 2pm, subject to filing a certificate of insurance with the City Clerk naming the City of Lockport as additional insured.

Seconded by Alderman \_\_\_\_\_ and adopted. Ayes \_\_\_\_\_.

#### **051122.8**

By Alderman \_\_\_\_\_:

Resolved, that the request for a special use permit made by Sean Wirth to harbor 6-8 hen chickens, located at 67 Rochester Street, situated in an R-1 Zone, be and the same is hereby approved, subject to the following provisions:

No change in character of neighborhood.

No excessive noise or disturbance of neighborhood.

No appreciable change in traffic.

No outside storage of materials.

Special permits can be indefinite or limited to a specific time.

The special permit shall go to the applicant only and shall terminate on the sale or transfer of the property, and further it terminates if the use permitted is abandoned for more than one year, if any of the conditions enumerated herein have changed, and in the discretion of the Common Council make such use unsuitable.

Seconded by Alderman \_\_\_\_\_ and adopted. Ayes \_\_\_\_\_.

**051122.9**

By Alderman \_\_\_\_\_:

Whereas, the Greater Lockport Development Corporation and its subsidiary, 210 Walnut Street, LLC, desire to donate land located at 50 Elmwood Avenue in the City of Lockport for the creation of a playground; and

Whereas, the City by Resolution 071917.11, applied for a \$450,000 grant from the New York State Office of Parks, Recreation and Historic Preservation, for the development of such a playground, which grant was subsequently awarded to the City: and

Whereas, the Common Council, by Resolution 041818.5, dedicated the playground to be developed to the memory of Aaron Mossell, a leader in school integration locally and nationally; and

Whereas, the State Department of Environmental Conservation has reviewed and approved the remediation work supervised by TurnKey Environmental Group, LLC to prepare the property for the intended use; and

Whereas, all parties are prepared to move forward with this project; now, therefore, be it

Resolved, that the City of Lockport accepts the property known as 50 Elmwood Avenue for development as the Aaron Mossell Playground; and be it further

Resolved, that the Mayor is authorized, subject to Corporation Counsel approval, to sign all necessary documentation to effectuate the transfer.

Seconded by Alderman \_\_\_\_\_ and adopted. Ayes \_\_\_\_\_.

**051122.10**

By Alderman \_\_\_\_\_:

Whereas, the NYS Tax Law §1202-t authorizes municipalities in Niagara County to collect a hotel occupancy tax for the purpose of promoting tourism, and

Whereas, the City has addressed the distribution of hotel occupancy tax revenue in Local Law 4 of 2020; and

Whereas, the City of Lockport has historically paid out its net revenues from the hotel occupancy tax to multiple non-profit groups, and

Whereas, the City and Greater Lockport Development Corporation (GLDC) have held preliminary discussions about the consolidation of funding from the hotel occupancy tax with GLDC, and

Whereas, GLDC has declared its willingness to assume responsibility for distribution of funds to those projects that have previously been funded directly from the City, including the Lockport Visitor Center, the Locks Heritage District Corporation (LHDC), and Lockport Main Street, Inc.(LMS) and

Whereas, the LHDC, LMS and the Niagara County Historical Society on behalf of the Lockport Visitors Center will consent to the termination of current agreements with the City and establishment of new agreements with GLDC prior to the execution of a final agreement; now, therefore, be it

Resolved, that the net revenue from the hotel occupancy tax previously retained by the City shall now be remitted to GLDC upon execution of an agreement that transfers to GLDC all responsibility for tourism funding; and be it further

Resolved, that the Mayor, subject to Corporation Counsel approval, is hereby authorized to enter into an agreement with GLDC to effectuate this transfer of revenue and responsibility.

Seconded by Alderman \_\_\_\_\_ and adopted. Ayes \_\_\_\_\_.

**051122.11**

By Alderman \_\_\_\_\_:

Resolved, that the Mayor and Common Council do hereby extend condolences to the family of Robert L. Pass, a retired City of Lockport second ward alderman, who served four terms from 1974-1981, who recently passed away.

Seconded by Alderman \_\_\_\_\_ and adopted. Ayes \_\_\_\_\_.

**051122.12**

By Alderman \_\_\_\_\_:

Resolved, that pursuant to their request, permission is hereby granted Lock City Moose Lodge 617 to barricade Monroe Street at Jackson Street on Saturday, May 21, 2022, for a vendor fair, 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 said area prior to said event.

Seconded by Alderman \_\_\_\_\_ and adopted. Ayes \_\_\_\_\_.

**051122.13**

By Alderman \_\_\_\_\_:

Whereas, Compeer Niagara is a non-profit, volunteer-based program of the Mental Health Association in Niagara County, serving both children and adults who have a mental health diagnosis and limited social supports; and

Whereas, Compeer Niagara's programs are successful in improving the quality of life for participants through social inclusion, friendship, and fun; and

Whereas, Compeer Niagara wishes to offer outdoor programming over the summer break, providing supervision and activities for youth on a "drop in" basis; now, therefore, be it

Resolved, that pursuant to their request, Compeer Niagara is hereby granted permission to conduct a summer program for the public at Rogers Park on Tuesdays, beginning July 5 until August 30, 2022, from 9am until 3:30pm, and be it further

Resolved, said permission is subject to Compeer Niagara filing a certificate of insurance with the City Clerk naming the City of Lockport as additional insured.

Seconded by Alderman \_\_\_\_\_ and adopted. Ayes \_\_\_\_\_.

**051122.13A**

By Alderman Barnard:

Resolved, that pursuant to their request, 15U AnJo Bombers are hereby granted permission to use the baseball diamond at Outwater Park for games the weekends of May 14th & 15th and May 20th & 21st, subject to the approval of the schedule by the Highways & Parks Department, and be it further

Resolved, that said permission is subject to 15U AnJo Bombers filing a certificate of insurance with the City Clerk naming the City of Lockport as additional insured.

Seconded by Alderman \_\_\_\_\_ and adopted. Ayes \_\_\_\_\_.

**051122.14**

**ADJOURNMENT**

At \_\_\_\_\_ P.M. Alderman Beakman moved the Common Council be adjourned until 6:30 P.M., Wednesday, May 25, 2022.

Seconded by Alderman \_\_\_\_\_ and adopted. Ayes \_\_\_\_\_.

PAUL K. OATES  
City Clerk