

January 6, 2010

The annual organizational meeting of the Lockport Town Board was conducted at 7:30 p.m. on Wed., January 6, 2010, at the Town Hall, 6560 Dysinger Road, Lockport, New York.

Present were: Supervisor: Marc R. Smith

Town Council Members: Cheryl A. Antkowiak  
Paul H. Pettit  
Mark C. Crocker  
Paul W. Siejak

Also present: Nancy A. Brooks, Town Clerk and Daniel E. Seaman, Town Attorney.  
Robert Lipp, Budget Officer.

Following the Pledge of Allegiance, Supervisor Smith welcomed those present and opened the meeting as follows:

PUBLIC COMMENTS: No one spoke.

BUSINESS MEETING:

1. Approval of Minutes

**MOTION (2010-007):** to approve the minutes of 12/16/2009, and 12/28/2009, was made by Council member Antkowiak, seconded by Council member Crocker. The motion was CARRIED: AYES - 5, NAYS - 0. Voting AYE: Antkowiak, Pettit, Crocker, Siejak and Smith.

2. Approval of Payment of Bills

**MOTION (2010-008):** to approve the payment of bills was made by Council member Siejak, seconded by Council member Pettit. The motion was CARRIED: AYES - 5, NAYS - 0. Voting AYE: Antkowiak, Pettit, Crocker, Siejak and Smith.

The bills for January 2010 consist of Vouchers #20920 – 20983 in the amount of \$176,821.52 for 2009 bills and \$188,368.15 for 2010 bills.

3. Communications – None.

4. Building Inspector's Report

The Supervisor read the Building inspector's Report for the month of December 2009 which stated that 12 permits were issued; \$1,015.00 was collected in fees; and the estimated cost of construction was \$345,336.00. Additionally, the Supervisor read the totals from the Building Inspector's Annual Report for 2009 which stated that 623 permits were issued; \$108,109.50 was collected in fees; and the total estimated cost of construction was listed as \$35,068,073.00.

5. Supervisor's Monthly Financial Report

**MOTION (2010-009):** to approve the Supervisor's Report for the period ending December 31, 2009, was made by Council member Pettit, seconded by Council member Siejak. The motion was CARRIED: AYES - 5, NAYS - 0. Voting AYE: Antkowiak, Pettit, Crocker, Siejak and Smith.

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6. Resolution to Adopt the 2010 Town Appointments

The Town Clerk then read the list of 2010 Town of Lockport Appointments as follows:

**2010 Town of Lockport Appointments – 1/6/2010**

<u>Title</u>	<u>Name</u>	<u>Salary</u>	<u>Term</u>
<u>Assessor</u>	John Shoemaker	\$49,276.35	09/30/13
<u>Bingo Inspector</u>	Sandra Baker	\$2,205.00	12/31/10
<u>Board of Ethics</u>	Wesley F. Arnold Mark Robinson		12/31/10 12/31/10
<u>Budget Officer</u>	Robert Lipp	\$22,729.64	12/31/10
<u>Building Inspector/ Code Enforcement Officer</u>	Brian Belson	\$50,715.00	12/31/10
<u>City/Town Cable Commission</u>			
<u>Commission Member</u>	Deborah A. Gaskill		12/31/10
<u>LCTV –Town Representative</u>	Mark C. Crocker		12/31/10
<u>Civil Enforcement Officer</u>	Vacancy		
<u>Coordinator of Economic Development</u>	David Kinyon	\$67,275.00	12/31/10
<u>Clerk P/T – Econ. Dev.</u>	Lynn Donovan	\$10.35/hr	12/31/10
<u>Account Clerical I</u>	Kate Carter	\$17.36/hr	12/31/10
<u>Assessor’s Information Clerk</u>	Carolyn Weber	\$13.93/hr	12/31/10
<u>Clerk F/T</u>	Alice Lane	\$13.61hr	12/31/10
<u>Clerk P/T</u>	Lawrence Pease Dennis Fooks	\$13.08/hr \$10.71/hr	12/31/10 12/31/10
<u>Real Property Appraisal Tech. Trainee</u>	Jill Lederhouse	\$16.07 /hr	12/31/10
<u>Deputy Building Inspector</u>	Michael R. Brown Jason Thompson	\$49,620.27 \$37,868.27	12/31/10 12/31/10
<u>Deputy Highway Superintendent</u>	(Vacancy)	\$/hr	12/31/10
<u>Deputy Supervisor</u>	Cheryl Antkowiak	\$9,061.00	12/31/10
<u>Deputy Town Clerk</u>	Judith Newbold Robin Troyer	\$12.83/hr \$10.71/hr	12/31/10 12/31/10

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2010 Town of Lockport Appointment – Contd.

<u>Dog Control</u>	Joan Coe	\$13.97/hr	12/31/10
<u>Drainage Coordinator</u>	Lewis J. Hagen, Jr.	\$4200.00	12/31/10
<u>Finance Officer</u>	Robert Lipp Marc Smith Kate Carter	\$5,250.00 (total for 3)	12/31/10
<u>Fire Board</u>	Charles Black Norman Pearson Barry Kobrin James Clewell Kevin Guay Chris McClune-Case Stephen Spencer		12/31/10 12/31/10 12/31/10 12/31/10 12/31/10 12/31/10 12/31/10
<u>G.I.S. Coordinator</u>	John Shoemaker	\$4,725.00	12/31/10
<u>Head Municipal Maintenance</u>	Kenneth Banker	\$55,641.60	
<u>Historian</u>	Laurence Haseley	\$2835.00	12/31/10
<u>Industrial Development Agency</u>	Patricia Dufour		12/31/16
<u>Justice Clerks</u>	Linda Cutter Mary Anderson Barbara Ricotta Carol Stuart	\$15.77/hr \$13.08/hr \$12.74/hr \$11.09/hr	12/31/10 12/31/10 12/31/10 12/31/10
<u>Legal Newspaper</u>	Union Sun & Journal		
<u>Planning Board</u>	Mark Kilroy Scott Carlson (Alternate)		12/31/16 12/31/13
<u>Zoning/Planning Secretary</u>	Jane Trombley		12/31/10
<u>Receiver of Taxes</u>	Lori L. Krug	\$5,408.00	12/31/10
<u>Assistant Tax Receiver</u>	Sandra Baker	\$ 578.00	12/31/10
<u>Records Management Officer</u>	Nancy Brooks	\$3,938.00	12/31/10
<u>Recreation Commission</u>	Joseph Kaltenbacher		12/31/14
<u>Registrar of Vital Statistics</u>	Nancy Brooks	\$3,150.00	12/31/10
<u>Deputy Registrar</u>	Judith Newbold	\$ 525.00	12/31/10
<u>School Crossing Guards</u>	Marlene A. Ryndak Shelly Sterling	\$10.68/hr \$11.42/hr	12/31/10 12/31/10
<u>Town Attorney</u>	Daniel E. Seaman	\$105,691.10	12/31/10
<u>Town Prosecutor</u>	Bradley Marble	hourly	12/31/10
<u>Zoning Board</u>	Michael Bartus		12/31/14
<u>Mileage Reimbursement</u>	.50cents/mile		

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**MOTION (2010-010):** to approve the 2010 Town of Lockport Appointments as read by the Town Clerk, was made by Council member Antkowiak, seconded by Council member Pettit. The motion was CARRIED: AYES - 5, NAYS - 0. Voting AYE: Antkowiak, Pettit, Crocker, Siejak and Smith.

7. Resolution to Adopt the 2010 Town of Lockport Non-Union Salaries

**MOTION (2010-011):** to approve the 2010 Town of Lockport non-union salaries was made by Council member Siejak, seconded by Council member Crocker. The motion was CARRIED: AYES - 5, NAYS - 0. Voting AYE: Antkowiak, Pettit, Crocker, Siejak and Smith.

The list of Non-Union Officials and Employees is as follows: (the salaries are as listed in the above resolution).

Employee

Marc R. Smith, Supervisor  
Cheryl Antkowiak, Council Member  
Paul H. Pettit, Council Member  
Mark C. Crocker, Council Member  
Paul W. Siejak, Council Member  
Nancy A. Brooks, Town Clerk  
Lewis J. Hagen, Jr., Highway Superintendent  
Daniel E. Seaman, Town Attorney  
Leonard G. Tilney, Jr., Town Justice  
Raymond E. Schilling, Town Justice  
Kathleen Carter, Conf. Secretary  
Robert Lipp, Town Budget Officer  
John Shoemaker, Town Assessor  
Brian Belson, Building Inspector  
Kenneth Banker, Head Maintenance  
David Kinyon, Dir. of Economic Development  
Joan Coe, Dog Licensing Officer  
Marlene Ryndak, Crossing Guard  
Shelly Sterling, Crossing Guard

8. Resolution to Approve Travel by Town Officials

**MOTION ( 2010-012):** to approve travel by Town officials for the purpose of education or other requirements as are necessary for their position, was made by Council member Crocker, seconded by Council member Antkowiak. The motion was CARRIED: AYES - 5, NAYS - 0. Voting AYE: Antkowiak, Pettit, Crocker, Siejak and Smith.

9. Resolution to Approve the Mileage Reimbursement Rate(per NYS Comptroller)

**MOTION (2010-013):** to approve the 2010 mileage reimbursement rate of .50/mile was made by Council member Pettit, seconded by Council member Siejak. The motion was CARRIED: AYES - 5, NAYS - 0. Voting AYE: Antkowiak, Pettit, Crocker, Siejak and Smith.

10. Resolution to Adopt the Union Sun & Journal as Official Paper for 2010

**MOTION (2010- 014):** to approve the Union Sun & Journal as the official paper of the Town of Lockport for the year 2010, was made by Council member Crocker, seconded by Council member Pettit. The motion was CARRIED: AYES - 5, NAYS - 0. Voting AYE: Antkowiak, Pettit, Crocker, Siejak and Smith.

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11. Resolution to Authorize Town Supervisor to Expend Highway Funds for 2010

**MOTION (2010-015):** to authorize the Town Supervisor to expend Town Highway Funds for 2010 was made by Council member Antkowiak, seconded by Council member Pettit. The motion was CARRIED: AYES - 5, NAYS - 0. Voting AYE: Antkowiak, Pettit, Crocker, Siejak and Smith.

12. Resolution to Approve Financial Institutions as Town Depositories for 2010

**MOTION (2010-016):** to approve First Niagara Commercial Bank, M&T Bank, Key Bank and HSBC Bank as official depositories for the Town of Lockport in the year 2010, was made by Council member Crocker, seconded by Council member Siejak. The motion was CARRIED: AYES - 5, NAYS - 0. Voting AYE: Antkowiak, Pettit, Crocker, Siejak and Smith.

13. Resolution to adopt the Town of Lockport Procurement Policy for 2010

**MOTION (2010-017):** to adopt the Town of Lockport Procurement Policy for the year 2010, was made by Council member Antkowiak, seconded by Council member Siejak. The motion was CARRIED: AYES - 5, NAYS - 0. Voting AYE: Antkowiak, Pettit, Crocker, Siejak and Smith.

14. Res. to Authorize Supervisor to Execute Contract for Secretarial Staff for Attorney

**MOTION (2010-018):** to authorize the Town Supervisor to execute a contract with Seaman, Jones, Hogan & Brooks to provide secretarial staff for the Town Attorney was made by Council member Crocker, seconded by Council member Antkowiak. The motion was CARRIED: AYES - 5, NAYS - 0. Voting AYE: Antkowiak, Pettit, Crocker, Siejak and Smith.

15. Resolution to retain Wendel-Duchscherer for Engineering Services

**MOTION (2010-019):** to authorize the Town Supervisor to retain Wendel-Duchscherer to provide engineering and planning services was made by Council member Siejak, seconded by Council member Crocker. The motion was CARRIED: AYES - 5, NAYS - 0. Voting AYE: Antkowiak, Pettit, Crocker, Siejak and Smith.

16. Resolution to retain Lumsden & McCormick as Official Town Auditing Firm

**MOTION (2010-020):** to approve the firm of Lumsden & McCormick as the official auditors of the Town of Lockport, was made by Council member Antkowiak, seconded by Council member Pettit. The motion was CARRIED: AYES - 5, NAYS - 0. Voting AYE: Antkowiak, Pettit, Crocker, Siejak and Smith.

17. Resolution to Appoint 2010 Delegate to the Associations of Towns Conference

**MOTION (2010-021):** to appoint Daniel E. Seaman as the Town's delegate to the Association of Towns Conference in NYC in February 2010, was made by Council member Crocker, seconded by Council member Pettit. The motion was CARRIED: AYES - 5, NAYS - 0. Voting AYE: Antkowiak, Pettit, Crocker, Siejak and Smith.

18. Resolution to Adopt the Highway Dedication-(Ext.of Rebecca Rd/Dedi Drive)

**(2020-022)**

On a resolution by Council member Pettit, seconded by Council member Antkowiak, the following resolution as duly ADOPTED: 5 AYES, 0 NAYS. Voting AYE: Antkowiak, Pettit, Crocker, Siejak, and Smith.

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In the Matter of the Laying out of  
a certain town highway in the Town  
of Lockport, County of Niagara  
and State of New York

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UPON READING AND FIING the application of CIMATO ENTERPRISES, INC. dated and acknowledged on December 30, 2009, and the dedication and release of the said owner dated and acknowledged on the same day, dedicating and releasing the necessary lands for a portion of proposed town highway in said Town situated in the Town of Lockport, being part of Lot 91, Township 13, Range 6 of the Holland Land Company's Survey and as shown on the annexed description and more particularly set forth in the description attached thereto and made part of thereof,

RESOLVED, that upon the filing of said dedication, the name of the highways as dedicated herein shall be Dedi Drive and Rebecca Road and it is further

RESOLVED, that in accordance with the provisions of Section 171 of the Highway Law of the State of New York, consent be and same is hereby given that the Town Superintendent of Highways of the Town of Lockport make an order laying out the aforesaid town highway, the said highway to consist of the land described in the said dedication and release; and it is further

RESOLVED, that the Town Clerk be and she hereby is directed to forthwith cause such release to be recorded in the Office of the Clerk of the County of Niagara and, upon its return, to attached hereto.

19. Town Board Comments

*Councilman Crocker* – Stated he was looking forward to another good year for the Town of Lockport.

*Councilman Pettit* – Wished the residents a Happy New Year and thanked them for their support.

*Councilman Siejak* – Spoke on the matter of ATV's being driven in the Day Road Park. He reminded everyone that motorized vehicles are prohibited in all Town parks, especially in the Day Road Park where the Town has newly installed soccer fields. He asked that residents report any vehicle activity to the County Sheriff's Department.

*Councilwoman Antkowiak* – Spoke on the following issues:

Dale Association Programs – She announced that the Dale Association will be providing programs at the Town Hall, the first to be a free hearing & vision screening for residents 60 and older will be held on January 27, 2010 from noon – 2:00 p.m.. She also stated that transportation would be provided if necessary.

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A variety of programs for the elderly will be presented over the course of the year and Councilwoman Antkowiak will keep residents informed of upcoming events as they are scheduled.

American Red Cross Project Share – Councilwoman Antkowiak explained that the Red Cross has funds available to assist residents who are unable to pay for utility bills. She gave the criteria necessary for residents to qualify. Criteria include: upon notice of termination of service, a resident 60 years of age or older; anyone having a disability; a medical emergency; an active duty service member (regardless of income), or someone whose income does not exceed 5% of the HEAP guide line for eligible income. Residents must first apply to the HEAP Program for assistance and then, if denied, can apply for the Project Share funding. A letter of denial from HEAP is required for Project Share. Anyone who is interested can contact Polly at the Red Cross at 434-8876.

NICAP Rural Preservation Program – Additionally, Councilwoman Antkowiak announced a program run by NICAP which offers assistance in home repairs for qualified residents. Residents must live in Niagara County, be single-family homeowners with current paid County taxes and homeowners' insurance, with income meeting the guide lines. Repairs include: roofs, septic systems, doors, windows, furnaces, hot water tanks, ramps and handicapped modifications. Anyone interested can contact Mark at 4344679.

She urged people to look into these programs even they think they might not qualify. Many people realize they do qualify once they contact the program directors.

Councilwoman Antkowiak also reminded residents to please look in on elderly or shut in neighbors, especially during this extremely cold winter.

## 20. Town Supervisor's Comments

Supervisor Smith thanked Councilman Crocker for the fine job he performed as Deputy Supervisor for the year 2009 and stated he was also looking forward to working with Councilwoman Antkowiak as she takes over the Deputy Supervisor's position for 2010.

He thanked everyone for attending the year's first meeting and stated that it was an honor to represent the Town of Lockport as its Supervisor.

He then thanked the Town of Lockport employees for their dedication to their jobs and the quality of life they provide to residents, stating they are the Town's greatest asset.

He also offered thanks to his family for all of their support.

On the State of the Town, he stated that, despite the poor national and state economies, the Town of Lockport remains strong and is in good financial condition. While the Town is concerned about the these economies, the Town Board will remain cautious and take a conservative approach until it is clear how they will fiscally impact the Town of Lockport. He stated that the Town Board's top priority is not to increase taxes and fees and he is sure that this will be the Board's goal through out this year and in years to come.

Lastly, he stated that he believes that 2010 should be as productive a year as 2009; perhaps it won't be as lucrative as the Yahoo!, Inc. acquisition in the Town I.D.A. Park this summer, but David Kinyon, Director of Economic Development, has suggested that there may be several projects that will be underway in 2010. Supervisor Smith stated he is very optimistic.

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21. Adjournment

**MOTION (2010-023):** to adjourn was made by Council member Pettit, seconded by Council member Antkowiak. The motion was CARRIED: AYES - 5, NAYS - 0. Voting AYE: Antkowiak, Pettit, Crocker, Siejak and Smith.

The meeting ended at 7:58 p.m. The Lockport Town Board will next meet at 1:00 p.m. on Wednesday, January 20, 2010.

Respectfully submitted,

Nancy A. Brooks, RMC, CMC  
Lockport Town Clerk