A regularly scheduled work session of the Lockport Town Board was conducted at 1:00 p.m. on Wednesday, January 21, 2009, 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 Siejak  
Also present: Nancy A. Brooks, Town Clerk, Daniel E. Seaman, Town Attorney and Robert Klavoon of Wendel-Duchscherer and two representatives of the Shawnee Sno-Chiefs, Inc.

PRESENTATION: Shawnee Sno-Chiefs.

Mr. Gary Broderick and Mr. Daniel Szumla addressed the Board with a request for support for the establishment of a funded corridor snowmobile trail along the Erie Canal towpath from Day Road heading east to an existing corridor located in Medina, New York. He reported that the economic impact from registered snowmobilers utilizing trails in New York is estimated at a $1 Billion. The purchasing power of snowmobilers utilizing a registered trail along the banks of the Erie Canal would greatly impact the towns along that corridor. Mr. Broderick stated that his organization as well as other snowmobile organizations in WNY is working with NYS Senator, George Maziarz, to persuade the Canal Corporation to permit snowmobilers to use the canal as a resource during the winter months. He reported that resolutions of support have been forthcoming from the Niagara County and Orleans County Legislatures.

He also stated that his organization is willing to work with local municipalities to satisfy their needs concerning speed limits, restricted access areas, signage and trail grooming. Councilman Siejak stated he was supportive of the idea but had some questions as to how the speed limits would be enforced. Mr. Broderick and Mr. Szumla both stated that the organization strongly encourages adherence to the rules amongst their membership and does a good job of self-policing its members. Mr. Broderick also informed the Board that their group is properly insured for the rare occasion that accidents happen along the trails. Councilwoman Antkowiak agreed and was very supportive of their request, having enjoyed the sport in the past. Upon Supervisor Smith’s request, Mr. Broderick stated he would forward an updated list of the local enforcement personnel.

BUSINESS MEETING:

1. Clerk

The Town Clerk reported correspondence from the NYS Dept. of Transportation (setting 45 MPH speed on So. Transit Road from just north of Tonawanda Creek Rd (south) to the Erie County line; a Notice of Intent to Renew the Alcoholic Beverage License for Shero’s Restaurant; and notice of newly passed NYS legislation providing for volunteer fire fighters to obtain health insurance through local municipalities, at the volunteer’s cost; and Rapids Fire Company sent a copy of their Amendment of Certificate of Corporation, requiring the Town Board’s signatures as proof of notification. Additionally, she received the annual request for a Town official update from the NYS Comptroller’s office. She will update the list, in particular updating John Shoemaker as the Town Assessor, and adding Daniel Seaman as Town Attorney.

Resolution to Enter an Agreement with NICAP for 2009

MOTION: to approve the Supervisor to enter a contract with the Niagara Community Action Program, Inc. 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.

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Resolution to approve Amendment to Article of Incorporation for Rapids Fire Co., Inc.

Mr. Seaman reported he had reviewed the documentation and recommended its approval by the Board.

**MOTION:** to approve the Amendment to the Article of Incorporation for Rapids Fire Co., Inc. 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.

2. **Engineer**

**Pump Station Rehab Update** – Mr. Klavoon reported that the generators for the Kimberly Drive and the Robinson Road pump stations are in and are awaiting the NYSEG connections before being placed in service. The pump rehabilitation at Strauss Road is near 50% complete.

3. **Town Board Comments**

**Councilman Pettit** – Complained that the street lights that have been reported out of service are not being repaired in a timely manner. Deputy Supervisor Crocker stated he would make some contacts in attempts to correct this matter. Supervisor Smith added that NYSEG is currently replacing old street lights with a newer high pressure sodium or metal halide type bulb. NYSEG has recommended that the Town street lights be replaced with the high pressure sodium type of bulb to keep the level of street lighting consistent within the Town.

**Councilwoman Antkowiak** – Reported that she will be meeting with members of the Dale Association with regard to setting up a new satellite location in the Town. She will report as progress is made.

**Councilman Pettit** – Once again wanted to thank the Town Highway Dept. personnel for the tremendous job they are doing of keeping up with the snow plowing this year.

**Councilman Siejak** – Asked for an update on the status of the new F.E.M.A. Flood Maps. Mr. Seaman is preparing a letter of response to be mailed to potentially affected residents. Supervisor Smith stated that the Town’s current IMS site has been updated to provide Town personnel the ability to have a map overlay of the newly proposed F.E.M.A. Flood Map. This map overlay will soon be available on the Town’s web site for all residents to review. Supervisor Smith stated that the 90-day comment period will begin after the public meetings are held in early February. Two meetings are scheduled in Niagara County: one at 4:00 – 8:00 on Feb. 2, 2009 at the Niagara county Education Building on Niagara Street Ext. and another at 4:00 - 8:00 p.m. on February 3, 2009, at the Wheatfield Town Community Center.

Councilman Siejak also informed the Town Board that he had not heard of any scheduled meetings for the Niagara County Comprehensive Steering Committee. As the Board’s representative, he will keep them posted of any upcoming meetings as they are scheduled.

5. **Supervisor’s Comments**

**Highway Dept. Request for Purchase of Pickup Trucks** – Highway Superintendent, Lewis Hagen, has requested permission to purchase two pickup trucks at NYS Bid price, the monies for which were allocated in the 2009 Town Highway Budget.

**MOTION:** to approve the Town Highway Superintendent to purchase two pickup trucks at NYS Bid Price, the monies for which purchase were allocated in the 2009 Town highway Budget, was made by Council member Pettit, and seconded by Council member Crocker. The motion was CARRIED: AYES - 5, NAYS - 0. Voting AYE: Antkowiak, Pettit, Crocker, Siejak and Smith.

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Highway Dept. Request to Erect "Lean to" attached to Salt Shed - Lew Hagen has requested that a “lean to” be erected on the salt shed to store sand for snow removal. The Highway personnel would erect it at an estimated cost of $7500.00. The cost for the “lean to” was allocated in the 2009 Highway Budget.

MOTION: to approve a “lean to” to be erected onto the salt shed at a cost not to exceed $7500.00 was made by Council member Pettit, seconded by Council member Crocker. The motion was CARRIED: AYES - 5, NAYS - 0. Voting AYE: Antkowiak, Pettit, Crocker, Siejak and Smith.

6. Executive Session Entered

MOTION: to enter Executive Session for the purpose of consulting with the Town Attorney regarding litigation and to discuss personnel matters 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.

The Town Board entered Executive Session at 1:55 p.m.

7. Executive Session Ended and Work Session Reconvened

MOTION: to exit Executive Session and to reconvene the work session 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.

The Town Board exited Executive Session at 2:50 p.m. with no Town board action taken during the session.

8. Resolution to Authorize Litigation to Recover Damages

MOTION: to authorize the Town Supervisor to work with the Town Attorney to prepare litigation to recover damages associated with the destruction of a Town water hydrant was made by Council member Crocker, seconded by Council member. The motion was CARRIED: AYES - 5, NAYS - 0. Voting AYE: Antkowiak, Pettit, Crocker, Siejak and Smith.

9. Resolution to Authorize Reimbursement in Settlement of a Claim

MOTION: to authorize the Town Supervisor to reimburse the amount of $575.00 to Tina Thurston in settlement of a claim regarding overpayment on a sewer utility billing, subject to the receipt of a signed release form to be drawn up by 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.

10. Resolution to Authorize a Contract for Painting at Town Hall

MOTION: to authorize the Town Supervisor to enter an agreement with Paul’s Premier Painting in the amount of $950.00 to paint the ceiling tiles and grid work at Town Hall, 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.

11. Adjournment

A motion to adjourn was made by Council member Siejak, seconded by Council member Antkowiak. The motion was CARRIED: AYES-5. The meeting ended at 2:55 p.m. The Lockport Town Board will next meet at 1:00 p.m. on Monday, February 2, 2009.
Respectfully submitted,

Nancy A. Brooks, RMC, CMC
Lockport Town Clerk