

February 16, 2011

A regularly scheduled work session of the Lockport Town Board was conducted at 1:00 p.m. on Wednesday, February 16, 2011, 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.

Supervisor Smith welcomed everyone and opened the meeting for the following discussion and/or action:

1. **Town Clerk**

The Town Clerk reported correspondence as follows:

- a. Johnson Controls – Notification of renewal of contract.
- b. Niagara County Youth Bureau – Letter regarding funding cutbacks due to the NYS fiscal crisis.
- c. General Code – Received an estimate for codification of Local Law #2010-8.

2. **Town Attorney** – Mr. Seaman reported he had something for discussion in Executive session.

3. **Engineer** – No report.

4. **Town Board Comments**

*Councilwoman Antkowiak* – reported that the 32-gallon recycling bins are on order and the "Think Green" recycling points program is going very well.

Day Road Park – She will be meeting soon to discuss possible recreation programs to be held at the park this summer. An art program is under consideration.

The Memorial Tree program is moving along very quickly. The tree space availability should be sold out by the summer time. At that point, she would like to investigate a "Memorial Brick " program to build a pathway at the park. Supervisor Smith added that a memorial brick walkway would be a helpful cost reduction with regard to the construction costs of a pathway to the soon-to-be-built restrooms at the park.

*Councilman Siejak* – gave a brief update on the Town-wide energy study performed by Johnson Controls, Wendel Engineering and NYSEG. A brief summary report of energy saving suggestions for each company is as follows:

Wendel Engineering – suggested a sanitary sewer pump station upgrade stating that a cell-based alert technology, rather than the current individual dial-up telephone connection for each lift station, could realize a significant savings with a 5-year payback.

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Johnson Controls – suggested a water leak detection improvement that would alert operators to leaks both before and after the customer meter which could yield significant savings of nearly \$30,000 per year, but at a cost of \$180,000 – \$200,000. They also offered several other infrastructural improvements with a total capital expenditure of nearly \$600,000 with a possible savings of over a million dollars over a 15-year period.

He then handed out copies of a summary report on the Small Business Energy Efficiency Program run by NYSEG. NYSEG had performed an energy study of the Town Hall complex (Town Hall, Annex and 6200 Robinson Road) and submitted a report stating that up to a 70% savings could be reached if a complete lighting upgrade was performed. The total cost of the upgrade would be \$30,089.36. The report states that NYSEG's contribution under this proposal would be \$16,868.67 and the Town's contribution total would be \$13,220.69, and would be expected to yield almost \$4,910.00 energy savings per year, with an estimated payback time of 32 months. NYSEG would perform all the installation and would pay half the cost. Councilman Siejak stated he felt that this was an excellent proposal for savings by the Town. Supervisor Smith stated that this is a limited program offered for a short time and that he felt it was prudent to take advantage while the program was offered.

**MOTION (2011-42):** to authorize the Supervisor to enter an agreement with NYSEG for the Small Business Energy Efficiency Program, for the installation of a complete lighting upgrade to Town Facilities, at a cost of \$13,220.69 to the Town, 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.

#### 5. Supervisor's Comments

Supervisor Smith spoke on several topics as follows:

**Smoke Free Zone at Day Road Park** – He asked what the Board's decision would be relative to establishing a "smoke-free" zone at the park. There was some discussion as to what area would be designated as a "smoke-free" zone. Councilman Pettit responded that the smaller of the previously suggested signs would be sufficient to be placed near the playground area only. Councilman Crocker stated that he did not believe that a "smoke-free" zone was needed at the park. He stated that there had not been any complaints nor had he ever seen anyone smoking near the playground area. After more discussion, the idea of establishing a "smoke-free" zone was tabled until such time as residents complain or request it.

**Stucco Repair of Trooper's Barracks** – Supervisor Smith stated that he had obtained two quotes for repairs to the building. The low quote obtained was from Collins Construction in the amount of \$3,500 or under.

**MOTION (2011-43):** to approve hiring Collins Construction to perform repairs to the Town Court Building/Trooper's Barracks, at a cost not to exceed \$3,500.00, was made by Council member Siejak, and seconded by Council member Antkowiak. The motion was CARRIED: AYES - 5, NAYS - 0. Voting AYE: Antkowiak, Pettit, Crocker, Siejak and Smith.

#### NYS Budget – Funding Losses:

**Recreation Funds** –Notification from the Niagara County Youth Bureau that the Town of Lockport may lose State funding of its summer recreation programs.

**STAR Program** - Supervisor Smith reported that the State has notified municipalities of their intent to stop STAR funding. The Town of Lockport has not received this funding in three years. He did say however, that the \$30,000 the Town has received for maintaining a 100% level of assessment, may be lost.

**CHIPS Funding** – The Highway Dept. funding may also be lost to the Town due to the State Budget cuts. The supervisor stated he expects further cuts in this area.

**Town Budget Amendment** – Supervisor Smith stated that Mr. Robert Lipp, Budget Officer, has requested an amendment to the Carlisle Gardens Lighting Fund for 2010. He stated that expenses in 2010 exceeded the appropriation by \$500.

**MOTION (2011-44):** to approve a 2010 Town Budget Amendment for the Carlisle Gardens Lighting Fund, to increase Acct. #02.5182.4 in the amount of \$500.00, 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.

**Water/Sewer Employees Education Requirements** – Supervisor Smith stated that after review of the personnel files, it was noted that some personnel lacked needed documentation, per their employment contract, for the requirement that Water/Sewer maintenance personnel shall obtain a Water System Operator Certificate, Sub-Part 5-4 within 12 months of the date of hire. The Supervisor requested that the Town Board pass a formal resolution for this requirement.

**MOTION (2011-45):** that all Water Maintenance Persons shall be required to obtain within twelve months of their date of hire and shall maintain for the duration of their employment, a Public Water System Operator Certification Sub-Part 5-4 of the State Sanitary Code for a Grade D-Distribution System Water System, 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.

#### 6. **Executive Session Entered**

**MOTION (2011-46):** to enter Executive Session for the purpose of consulting with the Town Attorney and to discuss the work history of an employee 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.

The Town Board entered Executive Session at 1:20 p.m.

#### 7. **Executive Session Ended and Work Session Reconvened**

**MOTION (2011-47):** 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 work session was reconvened at 2:19 p.m. with no Town Board action taken during Executive Session.

#### 8. **Adjournment**

**MOTION (2011- 48):** 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 work session ended at 2:19 p.m. The Lockport Town Board will next meet at 1:00 p.m. Monday, February 28, 2011.

Respectfully submitted,

Nancy A. Brooks, RMC, CMC  
Lockport Town Clerk