

March 2, 2011

A regular monthly meeting of the Lockport Town Board was conducted at 7:30 p.m. on Wednesday, March 2, 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 W. Siejak

Also present: Nancy A. Brooks, Town Clerk, Daniel E. Seaman, Town Attorney, Judith Newbold and Carol Stuart, Deputy Town Clerks, members of the Town of Lockport Recreation Committee, Joseph Kaltenbacher, Wayne Shutt and several local Participation in Government students.

Following the Pledge of Allegiance, Supervisor Smith opened the meeting as follows:

PRESENTATION: to Joseph Kaltenbacher

Councilwoman Antkowiak, along with Supervisor Smith, had Joseph Kaltenbacher come forward to receive a proclamation dedicated to his heroic efforts in performing CPR on Mr. Wayne Shutt, a local swimming and driving coach, who suffered a massive heart attack while working out at a local gymnasium. Through Mr. Kaltenbacher's long service as a Town of Lockport volunteer fireman and his knowledge of CPR, along with that of a bystander, Mr. Shutt's life was saved. Mr. Shutt, who attended after having a quadruple by-pass, spoke to publicly thank Mr. Kaltenbacher for having saved him from a certain quick and tragic death.

Supervisor Smith read the proclamation and both he and Councilwoman Antkowiak encouraged everyone to take classes in CPR so that many more lives can be saved.

PUBLIC COMMENTS: No one spoke.

BUSINESS MEETING:

1. Approval of Minutes

MOTION (2011-54): to approve the Town Board minutes of 1/31/2011, 2/02/2011, 2/16/2011, and 2/28/2011, was made by Council member Siejak, seconded by Council member Antkowiak. The motion was CARRIED: AYES - 5, NAYS - 0. Voting AYE: Antkowiak, Pettit, Crocker, Siejak and Smith.

2. Approval of Payment of Bills

MOTION (2011-55): to approve the payment of bills for the month of March 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 bills for the month of March consists of vouchers #23651 – 23845 in the amount of \$575,724.02.

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3. Communications.

The Town Clerk read the name of Matt Hlushak, a candidate for South Lockport Fire Co., who was approved by the Town of Lockport Fire Prevention Bureau and awaited Town Board approval for volunteer fire service.

MOTION (2011-56): to approve Matt Hlushak as a volunteer fireman with So. Lockport Fire Co., 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.

4. Building Inspector's Report.

The Supervisor read the Building Inspector's Report for the month of February 2011, which states that 12 building permits were issued; \$844.20 was collected in fees; and the estimated cost of construction was \$244,175.00.

5. Supervisor's Monthly Financial Report.

MOTION (2011-57): to approve the Supervisor's Monthly Financial Report for the period ending 02/28/2011, 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.

6. Adoption of Town of Lockport Violence in the Work Place Policy

MOTION (2011-58): to adopt the Town of Lockport Violence in the Work Place Policy, as prepared by the Town Attorney, 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 policy in its entirety is as follows:

TOWN OF LOCKPORT WORKPLACE VIOLENCE
POLICY STATEMENT

The Town of Lockport is committed to preventing workplace violence and providing a safe work environment. The Town prohibits and does not tolerate violent acts or threats of violence against employees, volunteers, visitors, guests or any other individuals within its facilities, on its campus or during any Town related activity, including off duty periods.

Definitions

Violence shall mean any form of threats, intimidation, or aggressive physical contact. Prohibited conduct includes, but is not limited to the following:

- Intimidation, harassment, assault, stalking or other conduct that causes a person to believe that he or she or others are under threat of bodily injury or death.

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- Threatening, attempting, or inflicting injury or damage to another person or property.
- Possessing a dangerous weapon, including a firearm, explosive or dangerous device or using an object as a weapon on Town property or during a Town related activity except when acting within the scope of one's job duties.
- Using abusive or obscene language or gestures in a threatening manner.
- Engaging in horseplay that may be dangerous to others.

Restraining Orders

If an employee obtains a restraining order against another person, he or she should notify the Supervisor's Office and his or her immediate supervisor so that the other person's presence on Town property in violation thereof can be known as a danger.

Workplace Violence Training

Training will be provided by the Town and shall be mandatory for all employees.

What to Do

If you witness a potentially violent situation, or are dealing with a threatening or violent person do not place yourself in danger. You should not attempt to challenge or disarm the individual. If possible, escape the scene and immediately contact local law enforcement authorities. Tips proven to be effective in this type of situation are as follows:

- Try to remain calm;
- Keep a distance of 4 - 6 feet;
- Do not touch the threatening or violent individual;
- Make constant eye contact, but do not try to "stare down" the threatening or violent person;
- Actively listen and respond to the individual;
- Ask the person making the threats or acting violently for solutions;
- If a supervisor or other appropriate authority can be safely notified of the need for assistance without endangering your safety or that of others, do so. Otherwise, cooperate and follow the instructions given. Please see reporting procedures below.
- If you witness a physical assault which you perceive as immediately dangerous to the victim, you may take reasonably necessary action to prevent injury to the other person.

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Reporting Procedure

All threats of (or actual) violence, both direct and indirect, MUST be reported verbally immediately to your immediate supervisor. As soon as possible, the employee shall file a written report in the Town Supervisor's Office on a form provided by this office. Employees or volunteers are encouraged to conduct the appropriate law enforcement authorities without first informing their immediate supervisor if they reasonably believe that imminent danger to their own safety or that of others exists. Employees or volunteers shall then immediately report to their supervisor.

A reportable incident can be an act or threat from the Town of Lockport employees, volunteers, family members, as well as others from the public and includes those threats or acts that may be perceived, actually experienced, or witnessed. When reporting an act or threat of violence, you should be as specific and detailed as possible. Employees and volunteers must also report all threats or violent acts they witness or experience while on duty away from the Town of Lockport premises or during any Town of Lockport related activity, or which relating to legitimate business interests of the Town of Lockport.

Protection

The identity of the individual making the report will be protected as much as practical. In order to maintain workplace safety and the integrity of its investigation, the Town of Lockport may suspend employees or volunteers suspected of violence or threats of violence, either with or without pay, pending investigation.

Investigation

All acts of, or threats of violence will be investigated and disciplinary action and/or legal prosecution will be pursued against Town personnel, and those outside the organization for violating this policy.

7. Town Board Comments.

Councilman Crocker thanked the Participation in Government students for attending and congratulated Joe Kaltenbacher for his participation in the rescue of Mr. Shutt.

Councilman Pettit also welcomed the students present and offered his own congratulations to Mr. Kaltenbacher and Mr. Shutt.

Additionally, Councilman Pettit announced the newly established brush pickup schedule for the Town; stating that effective from March – November, the north end of town would be picked up the third Monday of each month; and the south end would be picked up on the fourth Monday of each month. Councilman Pettit credited David Miller, the new Highway Superintendent, with the formation of the new schedule which provides Town residents with the benefit of nine brush pickups throughout the year, rather than three as had been done in the past.

Councilman Siejak offered his own congratulations to Mr. Kaltenbacher and Mr. Shutt and welcomed the students, encouraging them to ask questions after the meeting was adjourned.

He also gave a brief update of the Town's Energy Audit and a grant that the Town will take advantage of involving NYSEG for the installation of cost effective lighting improvements to the Town buildings. He stated that the grant stipulates that NYSEG will contribute \$17,000 toward the installation costs of the lighting project while the Town's contribution will be \$13,000. This lighting upgrade should yield the Town approximately a \$5,000 savings annually. He also stated that he and Supervisor Smith are investigating other energy saving activities such as new insulation, weather stripping, improved heating, all of which will be more energy efficient and cost efficient to the Town.

Lastly, Councilman Siejak announced that the Town of Lockport Historical Society will meet at 7:00 p.m. on Monday, March 21, at the Pomeroy School House on Leete and Lower Mountain Roads.

Councilwoman Antkowiak, after welcoming the students, congratulated Mr. Shutt, and thanked Joe Kaltenbacher and all the other volunteers in the Town of Lockport for their service and dedication. She encouraged young people to consider the volunteer fire service and then spoke on several topics regarding current and upcoming programs as follows:

Health Fair - She announced that the National Kidney Foundation will conduct a health screening for kidney disease from 10:00 a.m. -2:00 p.m. on Saturday, April 9, 2011, at the Town Hall. She stated that the process is a very non-invasive screening and reported that on a national level, this type of screening has been found to be responsible for detecting up to 80% of early kidney disease diagnosis. She urged everyone to take advantage.

Recreation Committee – She thanked all the members of the committee for attending the meeting; one of which is Joe Kaltenbacher.

Day Road Park Memorial Tree Program – All residents interested in the program were requested to contact Stedman's Nursery of Newfane. All activity involving this program will be completed through them. The program is going very well and many trees have already been purchased.

Think Green Recycling Program – Councilwoman Antkowiak reported that the Town of Lockport is one of only two pilot programs in New York State and that the Town of Lockport has already had over 2,000 families registered for the program.

2011 Outstanding Youth Award – She encouraged all senior high students to apply for the scholarship award. She stated that the award which includes a \$500 check, as well as a plaque, is not based solely on academic achievements. She stated that the award, handed out by the Town Recreation Committee, is issued to a well-rounded senior who has contributed to their school and community. Applications are available at the school, the Town Clerk's office and at the Lockport Public Library. The deadline for filing applications is April 21, 2011.

Lockport Summer Soccer Camp – She announced that there will be another soccer camp held at the Day Road Park Soccer fields the week of July 11 -15th. More information regarding the program will be included in the Town newsletter.

Lockport Public Library Classes – She announced that the sign-up for computer classes offered to residents to assist them in job searching and in the preparation of job resumes will continue until April. The classes are filling up quickly and she urged everyone to call the library as soon as possible to take advantage of this opportunity.

Recycling Bins - Lastly she reported that the 32-gallon recycling bins should arrive within the next four weeks and will be available for purchase at the Town Clerk's office at the price of \$18.

8. Supervisor's Comments

Supervisor Smith also thanked the many volunteers of the five fire companies that serve the Town of Lockport, stating that they provide an invaluable service to residents of the Town and the surrounding community.

NYS Finances – Supervisor Smith also announced that the Town has received notice from several State Agencies that there will be elimination or great reductions in the funding offered to local municipalities; which includes funding towards such things as the Town Recreation Committee as well as funding received by the Town for assessment services. He stressed that the Town Board will continue to watch these changes and to monitor how they may impact the Town of Lockport.

9. Adjournment

MOTION (2011-59): 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 7:55 p.m. The Lockport Town Board will next meet at 1:00 p.m. on Wednesday, March 16, 2011.

Respectfully submitted,

Nancy A. Brooks, RMC, CMC
Lockport Town Clerk