

April 25, 2011

A regularly scheduled work session of the Lockport Town Board was conducted at 1:00 p.m. on Monday, April 25, 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 opened the meeting at 1:03 for the following discussion and/or action:

1. Town Clerk

The Town Clerk reported correspondence received as follows:

- 1) Letter of resignation from Alan Hamilton from his position on the Town of Lockport I.D.A.
- 2) Notice of Application for Renewal of Alcoholic Beverage License for the Fieldstone Restaurant.
- 3) Letter from the NYS Retirement Office regarding the Town's Resolution for Standard Work Week for Elected Officials.

Additionally the Town Clerk advised the Town Board that there will be a mail-in dog enumeration in the summer newsletter which is due out the first week of June.

She also reminded Board members that there will be an employee CPR class on May 10th and asked that they sign up as soon as possible if they are interested in taking the class.

2. Town Attorney

Mr. Seaman presented the Town Board with two proposed Local Laws for their review. The first Local Law is an amendment to the Town of Lockport Sewer Code which will provide for the Town to install the "A" clamp system on residential sewers as well as perform other inflow and infiltration repairs at District expense.

The second Local Law is a proposed law to amend the Town of Lockport Water Code by regulating the performance of road pushes, the termination of service, and hydrant obstructions.

Supervisor Smith asked that the Board review these and it was determined that these items would be placed on the May 4, 2011 agenda for introduction.

3. Engineer

Mr. Klavoon reported that he and Wendel-Duchscherer personnel had completed a tour of the Town Hall facility with regard to the utilities improvement survey and should have a written report to the Town within the next two weeks.

He also reported that there have been some changes in the S.E.Q.R.A. forms used by the State. The former "short" form will now become the "long" form and the former "long" form will now become the even "longer" form. The time frame for implementation of the new process will begin in 2012. Andrew Reilly, the Town of Lockport Planner, will keep the Town Planning Board and other officials abreast of the changes as the time for change approaches. Basically, the bottom line is that the State will be eliminating the "short" form.

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4. **Town Board Comments**

Paul Siejak – reported on the changes to the County Sales Tax redistribution which will now be based on the 2010 Census records. Councilman Siejak stated that utilizing the new census, the Town of Lockport will now receive a 4.87% distribution rate over the old rate of 4.5% of the total Niagara County sales tax amount. Additionally, the pre-emption formula for the Town has increased from 13.84 % to 14.14%. This will all reflect in increased revenues for the Town.

Councilman Crocker reported that he had obtained three quotations for the purchase of four (4) wall-mounted emergency heart difibulators along with training. He reported that Duvall Co. listed a price of \$7,000; Cardiac Life Products. also listed \$7,000; and Specialized Services gave the price of \$4,380.00. Based on the prices obtained, the Town Board took the following action:

MOTION (2011-91): to approve the purchase of four (4) wall-mounted emergency heart difibulators with training, from Specialized Services of Lockport, NY, in the amount of \$4,380.00, 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.

Councilwoman Antkowiak reported that the Barge Canal Optimist will hold their annual Bike Rodeo on June 18th at the Day Road Park parking lot subject to Town Board approval. The YMCA will also conduct an arts and crafts festival at the Day Road Park in August which she would like to get pre-approval for.

National Kidney Foundation will conduct a follow-up meeting for those persons who came to the kidney screening held in April. The follow-up meeting, for approximately 30 persons who were detected with some medical issues, will be held on May 21st from 10:00 – noon at the Town Hall. Councilwoman Antkowiak thanked Town Clerk, Nancy Brooks, Deputy Clerks Judith Newbold and Carol Stuart, as well as Kate Carter for their assistance in the conduct of the screening.

The Dale Association will conduct an Open House at their facility on Ontario Street on May 11, 2011. The purpose is to showcase the many services the Dale Assoc. provides to residents and to encourage membership in the association. They will be offering a “buy 1 membership get one at ½ price fee at that time. Residents will have refreshments.

Additionally, Councilwoman Antkowiak is working with the Dale Assoc. to develop a supply of Care Packets for the Elderly, designed specifically for care takers of the elderly, these will be available at the Town Clerk's office in the near future.

The Day Road Park Memorial Tree program is going very well. The first mass planting of 10 trees will take place very soon. Councilwoman Antkowiak has requested that Ken Banker of the Town Sewer/Water Dept. is present at that time to ensure that no infrastructure issues arise with the planting. Currently, there are a few trees left available for purchase in the program. The average total purchase package ranges around \$300. Residents should contact Stedman's Nursery directly to inquire or purchase the memorial trees.

Councilman Pettit reported that the Town Highway Dept. spends a great deal of time and money on the installation of ditch pipe. He asked if the Town Board should consider changing this procedure and whether the Town should charge for it. Mr. Seaman stated this procedure is not done for the pleasure of residents but as a responsibility of the Town Highway Department as part of its ditching and drainage responsibilities. The Town performs approximately 5-8 ditch pipe installations

per year. The home owner pays for the pipe; the Town pays the cost of the stone and the top soil that is used. Councilman Crocker stated that before he would call for any changes to the process, he would like to see the actual costs associated with an installation. Supervisor Smith stated that monetary figures should be obtained from the Town Highway Superintendent before the issue is taken under consideration.

Day Road Soccer Fields – Councilman Pettit stated he had inspected the fields and that they are very wet yet the children are out there playing and practicing on the fields digging up the grass making the fields quite muddy. He suggested that barricades be erected around each of the goals to prevent damage to the fields until the weather improves. Councilwoman Antkowiak stated she has talked with Mr. Slowey of the Lockport Soccer League and that they have games scheduled to start very soon. Councilman Crocker stated that this is just more reason why the creation of practice fields would be beneficial. Supervisor Smith simply replied that the fields were created to be played on that the Town should expect that the kids will play on them as soon as they are able.

Supervisor Smith Comments

Lockport Lions Club – Supervisor Smith stated he had been contacted by the club which is seeking a club project to support. Supervisor Smith stated he thought that perhaps trail signs for the John Austin Nature Trail Park might be a suitable project. The Town Board all seemed to be in agreement.

Councilman Pettit also mentioned that the parks have signs prohibiting motorized vehicles, the park hours, and that dogs must be leashed but he has seen residents with unleashed dogs in the park. While he believes that even with ordinances and signs, you cannot legislate compliance of the rules and that we have a dog problem within our parks. Councilman Crocker added that the Town of Lockport is not unique in having rules disobeyed within parks.

Supervisor Smith then stated that the a resolution was required to add the costs of closing for the purchase of 6570 Dysinger Road (former Carpenters' Hall).

MOTION (2011-92): to amend the purchase price of 6570 Dysinger Road to include the costs of closing, for a total purchase price of \$255,071.20, 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.

6. Executive Session Entered

MOTION (2011-93): to enter Executive Session for the purpose of consulting with the Town Attorney 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.

The Town Board entered Executive Session at 1:35 p.m.

7. Executive Session Ended and Work Session Reconvened

MOTION (2011-94): to exit Executive Session and reconvene the work session 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.

The work session was reconvened at 1:55 p.m. with no Town Board action taken during Executive Session.

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8. **Adjournment**

MOTION (2011-95): 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 1:55 p.m. The Lockport Town Board will next meet at 1:00 p.m. on Monday, May 2, 2011.

Respectfully submitted,

Nancy A. Brooks, RMC, CMC
Lockport Town Clerk