

May 4, 2011

A regular monthly meeting of the Lockport Town Board was conducted at 7:30 p.m. on Wednesday, May 4, 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, Robert Lipp, retiring Budget Director, Kate Carter, the Supervisor's Conf. Secretary, Larry Haseley, Town Historian, and David Miller, Town Highway Superintendent.

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

PRESENTATION: On the Retirement of Robert Lipp, Town Budget Officer

Supervisor Smith read a prepared proclamation and gave a clock to Mr. Lipp for over ten years of dedicated service to the Town of Lockport. On behalf of the Lockport Town Board and the residents of the Town, he wished Mr. Lipp many healthy and happy years of retirement. Mr. Lipp spoke, thanking the Town of Lockport for the opportunity to work with a wonderful group of people. He stated that he was sure that the Town of Lockport will continue to prosper in the years ahead.

PUBLIC COMMENTS:

Mr. David Mongiello of Day Road, thanked Mr. Lipp for his years of service and spoke on the issue of the Town of Lockport surplus funds. He urged the Town Board to return the surplus to the Town residents. He also spoke to the issue of the Town parks, stating that too much money has been spent on the parks, in particular, he objected to the plan for restrooms to be built at the Day Road Park.

Donna Johnston of Old Beattie Road addressed the Town Board stating that she moved to the Town of Lockport from Depew, NY which had lovely parks. She said she was very pleased when the Town of Lockport created its parks and that life for the residents has greatly improved since.

There being no one else to speak before the Board, Supervisor Smith closed the public comment section and opened the regular business meeting as follows:

1. Approval of Town Board Minutes

MOTION (2011-102): to approve the minutes of Lockport Town Board meetings conducted on April 4, 2011 and April 6, 2011, 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. Approval of Payment of Bills

MOTION (2011-103): to approve the payment of bills for the month of May 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.

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The bills for the month of May consists of Voucher# 24049-24214 in the amount of \$867,889.21. NOTE: Vouchers #24199 & 24200 were voided and not used.

3. Communications

The Town Clerk read a list of candidates who were approved by the Town of Lockport Fire Bureau. The list is as follows:

Ashley Bootes.....Rapids Fire Co.
Shaun Burke.....Wr. Corners Fire Co.
Michael Norwood.....Wr. Corners Fire Co.

MOTION (2011-104): to approve the above mentioned persons for volunteer fire service in the Town of Lockport, was made by Council member Pettit, and seconded by Council member Antkowiak. The motion was CARRIED: AYES - 5, NAYS - 0. Voting AYE: Antkowiak, Pettit, Crocker, Siejak and Smith.

The Town Clerk also congratulated Mildred "Mickie" Kramp, the Newfane Town Clerk, for being selected as the New York State "Town Clerk of the Year" at the NYSTCA Conference Banquet held in Buffalo on Sunday, May 2, 2011.

4. Building Inspector's Report

The Supervisor read the Building Inspector's Report for the month of April, which stated that 42 building permits were issued; \$28,162.00 was collected in fees; and the estimated cost of construction was \$1,848,034.00.

5. Supervisor's Monthly Financial Report

MOTION (2011-105): to approve the Supervisor's monthly financial report for the period ending 04/30/2011, was made by Council member Antkowiak, and seconded by Council member Pettit. The motion was CARRIED: AYES - 5, NAYS - 0. Voting AYE: Antkowiak, Pettit, Crocker, Siejak and Smith.

6. Introduction of Local Law – to Amend the Town Sewer Code for I & I Repairs

Councilwoman Antkowiak introduced the proposed Local Law to amend the Town Sewer Code for Inflow and Infiltration Repairs.

7. Call for Public Hearing on Local Law to Amend Town Sewer Code

MOTION (2011-106): to conduct a Public Hearing on a Local Law to Amend the Town of Lockport Sewer Code, to be held at 7:30 p.m. on June 8, 2011, 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.

8. Introduction of Local Law – to Amend the Town Water Code

Councilman Crocker introduced a proposed Local Law to amend the Town of Lockport Water Code to cover road pushes, the termination of service and hydrant obstructions.

9. Call for Public Hearing on Local Law to Amend Town Water Code

MOTION (2011-107): to conduct a Public Hearing on a Local Law to Amend the Town of Lockport Water Code to cover road pushes, the termination of service and hydrant obstructions, was made by Council member Siejak, and seconded by Council member Pettit. The motion was CARRIED: AYES - 5, NAYS - 0. Voting AYE: Antkowiak, Pettit, Crocker, Siejak and Smith.

10. Resolution to Amend the 2011 General Fund Budget

MOTION (2011-108): on a motion by Council member Pettit, seconded by Council member Crocker, the following resolution was duly ADOPTED: 5 AYES, 0 NAYS. Voting AYE: Antkowiak, Pettit, Crocker, Siejak, and Smith.

RESOLVED, that the Lockport Town Board hereby amends the 2011 General Fund budget in the amount of \$260,000 to fund the purchase of 6570 Dysinger Road.

BE IT FURTHER RESOLVED, that the increase is to be funded from General Fund Unappropriated Fund Balance, the appropriation account to be increased as follows:

	<u>Increase</u>
Appropriation a/c	
006.1940.4 – Purchase of Land/Right of Way	\$260,000.00

11. Resolution to Approve Contract for Electronic Recycling

Speaking to the above topic, Councilwoman Antkowiak explained that the Town will place a large receptacle in either the Town Hall or the Highway office, to accommodate the collection of computers, monitors, key boards, etc.

Supervisor Smith also commented that this will also assist the Town in being in compliance with new State recycling regulations.

MOTION (2011-109): on a motion by Council member Antkowiak, seconded by Council member Pettit, the following resolution was duly ADOPTED: 5-AYES, 0 - NAYS. Voting AYE: Antkowiak, Pettit, Crocker, Siejak and Smith.

RESOLVED, that the Town Supervisor is hereby authorized to enter an agreement with Rochester Computer Recycling & Recovery, LLC to recycle electronic goods, at which the Town of Lockport shall be reimbursed at the rate of \$.05/lb.

12. Resolution to Authorize Contract with Robert Lipp for Consulting Services

MOTION (2011-110): on a motion 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.

RESOLVED, that the Town Supervisor is hereby authorized to enter an agreement with Robert Lipp, for financial/accounting consulting services in an amount not to exceed \$4,000 until year's end 2011.

13. Town Board Comments

Councilwoman Antkowiak thanked Mr. Lipp for his service and said that she would miss working with him. Additionally she spoke on the following topics:

AARP Driving Class – the Town Clerk's office is running the course which will be offered over two consecutive days, Thursday, May 19th and Friday, May 20th from 5:00 -9:00 p.m., here at the Town Hall. Class room space is still available, so please contact Nancy's office if you are interested.

Key Classes at Lockport Library – the N.I.O.G.A. computer classes held for residents at the Lockport Public Library are all filled so the Councilwoman and the Library have arranged to conduct additional classes at the Town Hall on May 25, June 15, and July 21, and August 18th from Noon – 4:00 p.m. She urged anyone interested to enroll by calling the library as soon as possible.

Dale Association – The organization will offer an Open House at the Dale Association on Ontario Street in the City of Lockport on Wed., May 11th, from 1:00 – 2:30 p.m. The Dale Assoc. will be offering a membership discount of “buy one – get one free” for Town residents. The Open House will also feature an ice cream social for attendants to enjoy.

May is “Older Americans Month” as well as the month of Mothers' Day. Councilwoman Antkowiak urged residents to, not only visit their own mothers, but to visit the elderly in nursing homes. These residents are often lonely and a visit would brighten their day.

Councilman Siejak thanked Mr. Lipp for his service to the Town and for all the help he offered to him as a council member.

Niagara Co. Free Rabies Clinic – The Clerk's office, in conjunction with the Niagara Co. Dept. of Health, will offer a free rabies clinic from 2-4:00 p.m. on Saturday, May 21, 2011, at the Town of Lockport Highway Garage. Dog and cats must be leashed or in animal containers. Residents are asked to please bring proof of licensing as well as previous inoculation records. The Town Clerk's office will also be on hand to license any unlicensed dogs, for residents' convenience.

He also mentioned that June is “Motorcycle Safety Month” and urged everyone to be aware that motorcycles are once again on the roads and to drive safely.

Lastly, he mentioned that the annual Town-wide Garage Sale dates are June 3-5th.

Town Clerk - the Clerk announced that the summer newsletter will contain a mail-in dog census. Residents will be able to mail in a dog license application along with the appropriate fee and inoculation information. The Clerk's office will issue a license and a new “Town” dog tag, which will be returned along with any documentation received. She urged residents to take advantage of this opportunity.

Councilman Pettit thanked Mr. Lipp for all his assistance throughout the years. He also commented on the new law which requires towns to license dogs, saying that this was another example of unfunded mandates being passed along from the State to the local municipalities. Lastly, he thanked and commended the Town Highway Dept. for their efforts to clean up after the recent wind storm which did so much damage locally.

Highway Superintendent, David Miller, then gave a brief update on the storm cleanup as well as the regularly scheduled brush pickups.

Councilman Crocker thanked Mr. Lipp for his many years of service and then addressed Mr. Mongiolo's comments, stating that the Town's surplus is not the six million dollars mentioned by Mr. Mongiolo, but closer to 3.6 million dollars. He added that the money in surplus is held in dedicated funds, "Special Districts", for which the money is held for unforeseen major projects such as major waterline or sewer line replacements. He explained that surplus money is not "owned" by the Town Board but that the Board members are elected to "manage" the Town's money. Councilman Crocker stated that he believes it is better for the residents to have some money in reserve for such occasions, than to seek bonding for such projects and be forced to raise taxes because of it.

Lastly, he asked any residents having issues with the newly adopted F.E.M.A. Flood maps to contact him for assistance. He will gladly help them if he is able.

14. Supervisor Comments

Supervisor Smith also added his thanks to Mr. Lipp stating that he appreciated the expertise and dedication that Mr. Lipp had delivered to the Town for over ten years. He wished Bob a happy and healthy retirement.

15. Adjournment

MOTION (2011-111): to adjourn 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 meeting ended at 8:05 p.m. The Lockport Town Board will next meet at 1:00 p.m. on Wednesday, May, 18, 2011.

Respectfully submitted,

Nancy A. Brooks, RMC, CMC
Lockport Town Clerk