

August 17, 2011

A regularly scheduled work session of the Lockport Town Board was conducted at 1:00 p.m. on Wednesday, August 17, 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 for the following discussion and/or action:

1. **Town Clerk** - No report.
2. **Attorney**

Mr. Seaman stated that he had previously provided copies of a proposed Local Law, a revised Property Maintenance Law, to the Town Board for review. The changes in the proposed law include the requirement of vegetation/lawn maintenance for residential and commercially improved lots. Councilman Siejak commented that he liked that the Town is addressing this matter and that the proposed law includes requirements for improved commercial lots. Councilman Crocker asked if the definition of "temporary" storage should be defined as 60 days? After some discussion, it was decided that it was not necessary and the following action was taken.

Introduction of Local Law

Councilman Siejak introduced the proposed Local Law entitled "Property Maintenance".

MOTION (2011-177): to call for a Public Hearing on a proposed Local Law entitled "Property Maintenance", to be held at 7:30 p.m. on Wednesday, September 7, 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.

3. **Engineer**

Mr. Klavoon reported that sealed bids had been received that morning for the televising and flushing of sewers in the Dorchester/Erna Drive Area. Six companies placed bids which he will review and make recommendation for award at the next work session scheduled for Sept, 6, 2011. Bid amounts submitted for the project ranged from a low of \$14,300 to a high of \$67,120.

4. **Town Board Reports**

Councilman Pettit stated he had not yet obtained a third quote for the security improvements to the Town Hall (doors and window replacement). He will report later when a third quote is received.

Day Road – he also reminded the Town Board that Day Road (between Rt. 31 and East High St.) is presently closed for paving.

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Councilwoman Antkowiak – reported that she will meet with the Library to plan future programs for the fall and winter.

Winter Fest – The date has been set as December 10th. The Councilwoman has met with individuals to make arrangements to conduct a "Winter Fest" program to be held at the Day Road Park. The program would include plans centering on the Santa House. Plans are too preliminary at this time but she will have more information to report in the next few weeks.

Councilwoman Antkowiak is also meeting with people at Lockport High School in preparation of a "Local Government Day" program for Town Hall. This would involve students "shadowing" local government officials through the course of a normal business day. She will have more to report at a later date.

Memorial Bricks Program – She will also be talking with someone with regard to setting up a "memorial brick" program for the Day Road Park.

Annual Health Fair – the annual health fair, sponsored in conjunction with the Dale Assoc., has been set for Sept. 28th at the Town Hall. She stated that almost 30 vendors or agencies will provide some form of health care or screenings. She expects it to be well received and bigger than ever.

Councilman Crocker reported that union negotiations with the C.S.E.A. Union are coming up and that he and Councilman Siejak will negotiate for the Town. He also asked if the Town Board had ever considered the difference between defined benefits and a defined contribution program for employees. Supervisor Smith stated that the Town has just always offered whatever has been offered through the NYS Retirement System. Councilman Crocker stated he would like to research the matter and will report back. He referred to a recent article written by the NYS Comptroller relative to defined contribution programs and how they relate to the State Retirement System. Supervisor Smith stated that the article referred to the funding for each program and that many existing programs are not set up to properly fund themselves for those participating. Supervisor Smith, as well as the Comptroller, remarked that the NYS Retirement Fund is well funded and that in the light of this very weak economy, the State system can withstand the ups and downs associated with it.

Councilman Siejak reported that the Town is still in the process of obtaining RFPs for the Town Building Envelope Improvements as well as for the Sewer Lift Station rehab. He should have all the information to report at the next work session in September. He also asked if the money received from Rochester Recycling (.05/lb for recycled electronic goods) can be placed in the Town Refuse fund rather than be placed in the General Fund. Mr. Seaman said that he would look into the matter as there are some restrictions as to what can be placed in or taken from special district funds.

Councilman Pettit also mentioned that the Day Road Park soccer fields are very torn up from use. He suggested that they be re-seeded. Councilwoman Antkowiak stated that she has talked with Jim Slowey and with Ken Banker as to when the soccer fields can be re-seeded. The fields are still in play through the end of August so they will be re-seeded mid September.

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5. **Supervisor's Reports**

Budget Amendment

Supervisor Smith stated that a request to amend the 2011 Town budget had come from Robert Lipp. Due to the State's re-classification of a mechanic as a "laborer" in the Highway Dept., there must be an adjustment made for the increase in Worker's Compensation Insurance. The amendment request is in the amount of \$15,000.00 to be taken from acct.# 006.1006.2701 and to be transferred to acct.# 006.9000.9040.8.

MOTION (2011-178): to approve an amendment to the 2011 Town Budget in the amount of \$15,000 to be taken from the acct. # 006.1006.2701 and allocated to acct.# 006.9000.9040.8, to accommodate an increase in Worker's Compensation Insurance, 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.

Meeting with New Congresswoman

Supervisor Smith stated that he had met with newly elected Congresswoman, Kathy Hochul and that she seemed very interested in helping the Town to seek grant funding for the Transit North project as well as other projects for the Town. Additionally, the Congresswoman will have a staff member available to the public at the Town Hall from 2:00 - 4:30p.m. on the first and third Wednesday of each month.

6. **Executive Session Entered**

MOTION (2011-179): to enter Executive Session for the purpose of consultation 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 1:25 p.m.

7. **Exit Executive Session and Reconvene the Work Session**

MOTION (2011-180): to exit Executive Session and to 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 1:57 p.m. with no Town Board action taken during Executive Session.

8. **Adjournment**

MOTION (2011-181): to adjourn 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 meeting ended at 1:57 p.m. The Lockport Town Board will next meet at 1:00 p.m. on Tuesday, September 6, 2011.

Respectfully submitted,

Nancy A. Brooks, RMC, CMC
Lockport Town Clerk