

September 19, 2011

A regularly scheduled work session of the Lockport Town Board was conducted at 1:00 p.m. on Monday, September 19, 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, Robert Lipp, retired Director of Finance, and Robert Klavoon of Wendel-Duchscherer.

The meeting was opened for the following discussion and/or action:

1. **Town Clerk**

The Town Clerk reported the following correspondence was received:

A) Request for a waiver of the 30-day Notice of Liquor License Renewal for the Willowbrook Golf Course was received. The NYS Liquor Authority will not renew their license until 30 days lapse from the time their notice is received by the Town and they were late in mailing the notice to the Town, therefore a lapse in the license will occur at month's end.

**MOTION (2011-199):** to approve a waiver of the 30-day notification of a liquor license renewal for the Willowbrook Golf Course, 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.

B) The Town clerk reported that Joan Coe, the Town Dog Control Officer, has requested some repairs to the Dog Control Officer's truck. Mrs. Coe stated that the truck has never been equipped with snow tires and would like them placed on the vehicle prior to winter. Additionally, some electrical work is needed for the truck as well. The Town Clerk also stated that Mrs. Coe and the Clerk's office are still investigating improvements for animal confinement and air circulation for the back of the truck. Supervisor Smith suggested that the DCO obtain estimates for the work needed and report back to the Board.

C) The Clerk also reported on an upcoming economic development seminar for Town Planning Board members, Zoning Board members, municipal attorneys, and elected officials. The seminar is scheduled for 5:00-9:00 p.m. on Thursday, October 27, 2011 at Building E of Niagara County Community College. A pre-registration form is available for any interested persons.

2. **Engineer**

**Red Creek Water Crossing** – Mr. Klavoon reported that the engineering plans and specifications for the Red Creek water line crossing have been completed and that he was seeking approval to set a bid date in conjunction with a forthcoming authorization from the Niagara County Water District to proceed with the project. Supervisor Smith assured the Town Board that the Town Attorney has reviewed the specifications as well as the Town of Newfane who is also on board for implementing this project.

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**MOTION (2011-200):** to authorize Wendel Engineering to set a bid date to coincide with work being done in conjunction with the Niagara County Water District, for the Red Creek Water Line Crossing, 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.

### 3. Town Board Reports

*Councilman Siejak* reported that the Town Water Dept. had been collecting a lot of scrap metal and that they have arranged for a vendor to provide large recycling containers to place the scrap in until such time as the containers are collected by the vendor. At the time of this work session, the Water Dept. has reported that nearly \$12,000 has been collected for recycled scrap metal. Councilman Siejak commended the Dept. for reducing waste and finding an income source for a waste item. Supervisor Smith stated that this procedure was in compliance with what the NYS Comptroller's Office has requested of towns with regard to the recycling of surplus equipment or scrap.

*Councilwoman Antkowiak* reported on several items including:

Dale Assoc. Health Fair – will be held at Town Hall on Wed., September 28, 2011 from 12:30 – 3:30 p.m. She stated that between 20- & 30 vendors/agencies will be represented to provide medical testing of various natures for those in attendance. Testing will include such things as hearing, vision, glaucoma, diabetes, blood pressure, kidney screening, and many more. She urged all Board members and elected officials to attend. LCTV will also be present to cover the event.

Santa House – Chris Parada, who operates the Santa House at Day Road Park, is presently working on a documentary film which will depict the history and life of Charles B. Howard, a local man who became a well-known professional Santa. The movie will be offered to visitors to see when the Town has its Fall Festival later this winter.

Memorial Brick for Day Road Park – Councilwoman Antkowiak stated she had met with a representative of Uni-Lock Brick Company about the creation of a memorial brick program for a walkway at the Day Road Park. She is still gathering information and will have more to report at an upcoming work session.

Electronics Recycling Shed – a shed to house the recycled electronics is still being researched. She has consulted with Dave Miller, Highway Superintendent as well as the recycling vendor and will have more to report at a later date.

*Councilman Pettit* spoke on the issue of sidewalks. He stated that the Town already has an ordinance that makes homeowners responsible for the sidewalk directly in front of their homes, and the Town is already responsible for maintaining the sidewalks along Transit Road. He questioned who will be responsible for maintaining the new sidewalks which the State DOT will install along Dysinger Road. Supervisor Smith replied that the Town will be responsible for the maintenance of the sidewalks which will be installed before the end of December. Councilman Pettit stated that the cost of equipment for maintaining these sidewalks should be passed on to the taxpayers that are serviced in that area. He suggested that the cost should be obtained for the length of installed sidewalk and that the cost should be divided between the parcels in that immediate area. Supervisor Smith stated that it is too early to know of any costs associated with maintaining these new sidewalks and that he didn't feel it was necessary to take up the issue at this time.

Speaking on the other NYSDOT changes to Dysinger Road, Supervisor Smith reported that new bicycle markings will soon be added to the shoulders; bicycle-friendly rumble strips have already been dug along the highway; additional signage will be placed along the road and that the new sidewalks will extend from Raymond Road west to Centre Street (the entrance to the Village Mobile Home Park).

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**4. Town Supervisor's Report**

Supervisor Smith reported that David Kinyon, Director of Economic Development, was seeking Town Board approval to apply for a grant to pay for additional pathways at the Day Road Park. He stated that the total amount of the project was estimated at nearly \$154,000; but after taking nearly \$30,000 off for out of pocket labor costs to be completed by Town personnel, the total amount to be sought in grant monies by the Town would be \$74,441.

**MOTION (2011-201):** On a motion by Council member Siejak, seconded by Council member Antkowiak, the following resolution as duly ADOPTED: 5 AYES, 0 NAYS. Voting AYE: Antkowiak, Pettit, Crocker, Siejak, and Smith.

**R E S O L U T I O N**

**RESOLVED**, that David Kinyon, Director of Economic Development, is hereby authorized and directed to file an application for funds from the New York State Office of Parks, Recreation and Historic Preservation in accordance with the provisions of Title 9 of the Environmental Protection Act of 1993, in an amount not to exceed \$74,441.00, and upon approval of said financial assistance to the Town of Lockport for the creation of pathways within the Day Road Park, and, if appropriate, a conservation easement/preservation covenant to the deed of the assisted property.

Recreation Contract Approval - The Town Recreation Committee was requesting Town Board approval of a contract with the Medina Railroad for discount passes for a Fall program.

**MOTION (2011-202):** to approve the contract with the Medina Railroad to provide discount passes to Town of Lockport residents for the Fall of 2011, was made by Council member Antkowiak, seconded by Council member Crocker. The motion was CARRIED: AYES - 5, NAYS - 0. Voting AYE: Antkowiak, Pettit, Crocker, Siejak and Smith.

Councilman Siejak also gave a progress report of the Day Road Park Restrooms, stating that the concrete flooring has now been installed.

**7. Executive Session Entered**

**MOTION (2011-203):** to enter Executive Session to consult with the Town Attorney and to discuss the C.S.E.A. labor negotiations, 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.

The Town Board entered Executive Session at 1:30 p.m.

**8. Executive Session Ended and Work Session Reconvened**

**MOTION (2011-204):** to exit Executive Session and to re-open 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.

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The work session was reconvened at 1:40 p.m. with no Town Board action taken during Executive Session.

**9. 2012 Town Budget Review**

The Town Board then had Robert Lipp assist them in a line-by-line examination of each budget line item. Mr. Lipp gave several explanations as to the reasons for some of the budget appropriations, as well as answered several questions asked by Board members.

At the end of the budget review, Supervisor Smith requested that Mr. Lipp assist Kate Carter in making the necessary budget changes as discussed by the Board and to prepare them for the next budget work session scheduled for 2:00 p.m. on Monday, September 26, 2011.

**10. Executive Session Entered**

**MOTION (2011-205):** to enter Executive Session to discuss the work history of an employee 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 re-entered Executive Session at 2:45 p.m.

**11. Executive Session Ended and Work Session Reconvened**

**MOTION (2011-206):** to exit Executive Session 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 Executive Session was ended and the work session reconvened at 3:05 with no Town Board action taken.

**12. Adjournment**

**MOTION (2011-207):** to adjourn 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.

The work session ended at 3:05 p.m. The Lockport Town Board will next meet at 2:00 p.m. on Monday, September 26, 2011.

Respectfully submitted,

Nancy A. Brooks, RMC, CMC  
Lockport Town Clerk