

December 19, 2012

A regularly scheduled work session of the Lockport Town Board was conducted at 1:00 p.m. on December 19, 2012, at the Town Hall, 6560 Dysinger Road, Lockport, New York.

Present were: Supervisor: Marc R. Smith

Town Council Members: Cheryl A. Antkowiak
Mark C. Crocker
Paul W. Siejak

Also present: Nancy A. Brooks, Town Clerk, Daniel E. Seaman, Town Attorney, David Kinyon, Director of Economic Development, and Robert Klavoon of Wendel Engineering.

Supervisor Smith welcomed everyone to the meeting and had David Kinyon begin with a brief report on his trip to New York City for the International Council of Shopping Centers Trade Show. He and Marc Smith traveled to the show of which he reported as having very good booth location and many excellent opportunities to meet and discuss the Lockport area, in particular the Transit North project, with national developers. He stated that they received many compliments from some of the developers and he believes that the Town should expect some very real dividends from the meetings that he and Marc had with prospective retailers.

The meeting was then opened up for regular business as follows:

1. **Town Clerk** – Reported correspondence received from: Niagara County Health Dept. thanking the Town for conducting a Free Rabies Clinic; Information and Registration from NY Planning Federation for their Annual Conference.
2. **Town Attorney** – Purchase of Highway Dept. Vehicles

Mr. Seaman presented two resolutions for action allowing the Highway Department to purchase trucks. The resolutions are as follows:

MOTION (2012-211) to authorize the Highway Superintendent to purchase a ¾ ton pickup truck, a 2013 Chevrolet Silverado, 4W Drive, off the Erie County Bid, pursuant to General Municipal Law §103 (16) in the amount of \$27,649.41 from Joe Basil Chevrolet, was made by Council Member Crocker and seconded by Council Member Antkowiak. The motion was CARRIED: AYES-4, NAYS-0. Voting AYE: Antkowiak, Crocker, Siejak and Smith.

MOTION (2012-212) to authorize the purchase of an International Truck with equipment pursuant to the Standardization Resolutions adopted for trucks and equipment based on a determination that there is only one authorized dealer for the truck i.e.: Regional International, in an amount not to exceed \$160,000.00 as determined by the Town Highway Department, was made by Council Member Siejak and seconded by Council Member Crocker. The motion was CARRIED: AYES-4, NAYS-0. Voting AYE: Antkowiak, Crocker, Siejak and Smith.

3. **Engineer** – No report.
4. **Town Board**

Councilman Siejak provided a progress report on the Town's recycling project stating that 4294 lbs of recyclables had been processed and the Town recouped a total of \$369.28 for the month of November; and the total YTD amounts were 35,318 lbs and a Grand Total of \$2,476.17 in refunds.

Councilwoman Antkowiak simply wished everyone a happy and healthy holiday.

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5. **Supervisor**

Supervisor Smith requested Town Board action on the following:

RESOLUTION TO RETAIN APEX CONSULTING

MOTION (2012-213) to retain Apex Consulting for work on the Yahoo expansion project was made by Council Member Siejak and seconded by Council Member Antkowiak. The motion was CARRIED: AYES-4, NAYS-0. Voting AYE: Antkowiak, Crocker, Siejak and Smith.

AWARD UTILITY REPAIR CONTRACT

MOTION (2012-214) to award Utility Repair Contract No. 13-1 to Mark Cerrone, the low bidder, in the amount of \$112,999.00, was made by Council Member Siejak and seconded by Council Member Crocker. The motion was CARRIED: AYES-4, NAYS-0. Voting AYE: Antkowiak, Crocker, Siejak and Smith.

DISCUSSION OF PROPOSED ZONING AMENDMENT – Rezoning for Mining Expansion

Some basic discussion occurred including many of the issues brought up at the Public Hearing previously held on December 5, 2012.

Supervisor Smith - stated that there were a few questions he had that LaFarge had answered and that he felt the Town should do better at notification to the public and in particular the neighborhood should there be any future proposals of expansion by LaFarge. He felt that more public input would be required in such a case.

Councilman Crocker – stated he wished to wait for some answers regarding issues of property owners along Hinman Road.

Councilwoman Antkowiak – Asked if any of the questions posed by the public at the Public Hearing were addressed or answered by LaFarge. She would like some dialog with LaFarge with regard to these items.

ADOPTION OF THE C.S.E.A. CONTRACT FOR 2012-2016

MOTION (2012-215) to adopt the C.S.E.A. Contract for 2012-2016 as was recently negotiated was made by Council Member Crocker and seconded by Council Member Siejak. The motion was CARRIED: AYES-4, NAYS-0. Voting AYE: Antkowiak, Crocker, Siejak and Smith.

DISCUSSION OF NYSDOT SIDEWALK EXTENSIONS ON DYSINGER/ROBINSON ROAD

Supervisor Smith stated he had met with representatives from the NYSDOT regarding the extension of sidewalks along Robinson Road (from Center Drive to Transit Road). The State would like the Town to enter a contract to cover the cost of a foot bridge to cross over Donner Creek. The cost of the pedestrian bridge is estimated to be \$40,000.00. The bridge would be approx. 10ft wide and 50ft long. While the purchase of the bridge was not budgeted in 2012, the Town Board members were all in agreement that discussions with the State to proceed with the project should begin.

APPROVAL OF NEW TITLE FOR SECURITY OFFICERS

MOTION (2012-216) On a motion by Council Member Antkowiak and seconded by Council Member Siejak, the following resolution was duly ADOPTED:AYES-4,NAYS-0. Voting AYE: Antkowiak, Crocker, Siejak and Smith.

RESOLVED, the position of "Town Security Person" is hereby established, and be it further

RESOLVED, that all persons presently employed as a Special Patrol Officer are herein after employed as Town Security Person, and be it further

RESOLVED, that the position of "Special Patrol Officer" is terminated in the Town of Lockport.

Lastly, Supervisor Smith thanked Councilman Siejak for the fine job he did as Deputy Supervisor throughout the year 2012. Councilman Siejak thanked Supervisor Smith for the opportunity to serve as Deputy and thanked the entire Town staff for all their assistance and cooperation throughout the year.

6. Executive Session Entered

MOTION (2012-217) to enter Executive Session for the purpose of consultation with the Town Attorney and to discuss personnel issues was made by Council Member Antkowiak and seconded by Council Member Crocker. The motion was CARRIED: AYES-4, NAYS-0. Voting AYE: Antkowiak, Crocker, Siejak and Smith.

The Town Board entered Executive Session at 1:25 p.m.

7. Executive Session Ended and Work Session Reconvened

MOTION (2012-218) to exit Executive Session and to reenter the work session was made by Council Member Crocker and seconded by Council Member Antkowiak. The motion was CARRIED: AYES-4, NAYS-0. Voting AYE: Antkowiak, Crocker, Siejak and Smith.

The Town Board reconvened the work session at 2:20 p.m. with no Town Board action taken during Executive Session.

APPROVAL OF PURCHASE OF BOLLARDS FOR DAY ROAD PARK

MOTION (2012-219) to approve the purchase of removable bollards for Day Road Park from Reliance Foundry, the low quote, in the amount of \$5701.00, was made by Council Member Crocker and seconded by Council Member Antkowiak. The motion was CARRIED: AYES-4, NAYS-0. Voting AYE: Antkowiak, Crocker, Siejak and Smith.

8. Adjournment

MOTION (2012-220) to adjourn was made by Council Member Siejak and seconded by Council Member Crocker. The motion was CARRIED: AYES-4, NAYS-0. Voting AYE: Antkowiak, Crocker, Siejak and Smith.

The meeting ended at 2:23 p.m. The Lockport Town Board will next meet at 1:00 p.m. on Wednesday, December 26, 2012 for the year-end work session.

Respectfully submitted,

Nancy A. Brooks, RMC, CMC
Lockport Town Clerk