

January 23, 2013

A regularly scheduled work session of the Lockport Town Board was conducted at 1:00 p.m. on January 23, 2013, 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, Patricia Dufour and Robert Klavoon of Wendel Engineering.

Supervisor Smith opened the meeting at 1:00 p.m. for the following discussion and/or action:

1. **Town Clerk**

The Town Clerk reported correspondence as follows:

1. The 2012 Annual Report from the Niagara Community Action Program
2. Letter from Willkie Farr & Gallagher, LLP regarding records disposal and/or transfer.
3. Letter from David Mongiolo of South Lockport Fire Co. requesting Town Board support to obtain an FCC license for a new radio frequency.

2. **Town Attorney**

Mr. Seaman presented the Town Board with paperwork regarding the possible abandonment of a portion of Badger Drive (a portion that was never developed). He explained the persons associated with the Badger estate now wish to develop the land and request the abandonment to allow the sale and development of a small subdivision on the property.

MOTION (2013-19) to authorize the abandonment of an unimproved portion of Badger Drive as was approved by the Town Highway Superintendent 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**

Mr. Klavoon reported that sealed bids for Contract #13-2 Carpenter's Building Façade Improvements and Contract #13-3 Town Hall Security Improvements were received on the morning of January 23, 2013. The bids will be reviewed for a recommendation of award for the Town Board at a later meeting.

4. **Town Board Comments/Reports**

Councilwoman Antkowiak reported that an information seminar sponsored by the Dale Association will take place at the Town Hall in March. The topic will cover information on Medicaid, Medicare and other related health insurance questions that the elderly may have. The exact date has yet to be determined.

Also, she will be meeting with Town Highway Superintendent, Dave Miller, to discuss the work that will be needed for the restrooms and the concession area at Day Road Park. She'll present plans for the work at the next work session.

Councilman Crocker reported that he was able to save the fake boulder that hides water lines at Day Road Park. The strong winds from a recent wind storm had broken the anchors and the rock was moving across the highway.

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Councilman Siejak presented copies of the 2012 Final Report from Regional Recycling & Recovery which stated that a total of 40,932 pounds of recycled goods were collected for a total refund to the Town in the amount of \$2,958.80.

He also commented that he was pleased to see that the Niagara County Sales Tax amount paid to the Town had increased from 2011 by 3.81%. Supervisor Smith stated that it had a good deal to do with increased Canadian retail sales.

5. **Supervisor's Comments/Reports**

Introduction of Local Law to Establish the Position of Dept. of Operations

Mr. Smith had previously handed out copies of a proposed Local Law which would create a new Department of Operations which would be responsible for the oversight, operation and maintenance of the Town Districts, including Water, Sewer, Lighting Districts and other such districts as shall be hereafter established, combined or changed.

Councilman Siejak agreed to introduce the Local Law.

MOTION (2013-20) to conduct a Public Hearing on a proposed Local Law to Establish the Department of Operations at 7:30 p.m. on Wednesday, February 6, 2013, 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.

Eastern Niagara Hospital Robotic Surgery Day – The hospital will host an open house at the Holiday Inn on January 28, 2013 from noon – 8 p.m. Supervisor Smith encouraged people to attend stating he believes it will be a very interesting program.

Appointment to the Vacancy on Town Board

Supervisor Smith stated it was his pleasure to announce that Patricia Dufour of Wynkoop Road has been selected to fill the Town Board vacancy left by the death of Paul Pettit.

MOTION (2013-21) to appoint Patricia Dufour to fill the unexpired term of Paul Pettit as Town Council member 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.

Ms. Dufour's term will expire 12/31/2013. She will need to run in the November 2013 election should she wish to continue on the Town Board.

6. **Executive Session Entered**

MOTION (2013-22) to enter Executive Session for the purpose of consulting with the Town Attorney 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.

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

MOTION (2013-23) to exit Executive Session and to reconvene the work session 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.

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The work session was reconvened at 1:45 p.m. with no Town Board action taken during Executive Session.

8. Adjournment

MOTION (2013-24) to adjourn 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.

The meeting was ended at 1:45 p.m. The Lockport Town Board will next meet at 1:00 p.m. on Monday, February 4, 2013.

Respectfully submitted,

Nancy A. Brooks, RMC, CMC
Lockport Town Clerk