

April 9, 2013

A regularly scheduled work session of the Lockport Town Board was conducted at 1:00 p.m. on Tuesday, April 9, 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
Patricia Dufour

Absent: Councilman, Paul W. Siejak

Also present: Nancy A. Brooks, Town Clerk, Daniel E. Seaman, Town Attorney and Robert Klavoon of Audubon Engineering.

Supervisor Smith welcomed everyone present and opened the meeting for the following discussion and/or action:

1. Town Clerk

The Town Clerk reported correspondence as follows:

- a. Copy of Engineer's Notice to Proceed to the Contractor on the Town Hall Building Improvement Contract.
- b. A copy of the Niagara County In Rem Property List for 2011.
- c. Letter from Daniel Seaman to Town Board and Town staff thanking them and wishing the Town well as he prepares to retire effective April 20, 2013.

2. Town Attorney

Mr. Seaman presented the Town Board with a resolution to acquire an In Rem parcel located on Erica Lane. The residential home has been abandoned by the bank, is in need of major repair or demolished.

MOTION (2013-67) on a motion by Council Member Antkowiak and seconded by Council Member Dufour, the following resolution was duly ADOPTED: AYES-4, NAYS-0. Voting AYE: Antkowiak, Crocker, Dufour and Smith.

TOWN OF LOCKPORT

RESOLUTION

WHEREAS, the County of Niagara, pursuant to In Rem Tax Foreclosure Proceeding under Index No. #152.04-1-28, 8604 Erica Lane, Lockport, New York, and

WHEREAS, certain negotiations have taken place, for the transfer of said premises to the Town of Lockport,

NOW, THEREFORE, BE IT RESOLVED,

Upon transfer of the title to the premises to the Town of Lockport, the Town

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Supervisor is hereby authorized and directed to enter into an agreement to transfer said premises to the Town of Lockport, and to indemnify and save harmless the County of Niagara, the County Treasurer and the agents and employees of the County from any liability ensuing from the Town's ownership and use of premises.

3. Engineer

Mr. Klavoon reported that he and David Miller, Town Highway Superintendent, met with the contractor for the Town Hall Improvement contract. The contractor has ordered materials and expects that construction will commence mid May to June. They will coordinate the scheduling with the various departments when they are prepared to begin work.

Additionally, he and Mr. Miller have met to discuss seeking quotations for the replacement of the Highway Dept. furnace as well as repair or replacement of the air conditioning unit for the Town Court facility.

He has also met with Mr. Miller and Councilwoman Antkowiak to discuss the construction of the gazebo in Day Road Park. It is expected that the construction will begin in May.

Lastly, he reported that there was a large water break on Transit Road and that the Town's contracted utility repair company was called in to assist in the repairs.

4. Town Board Comments

Councilwoman Dufour reported that she has had a good month as a new Council member and has met with several departments and has attended several meetings of various committees including the Planning Board, Fire Board, and also met with representatives of the Dale Association.

Councilwoman Antkowiak reported that the cabinetry has been installed at the Day Road Park Recreation room. They will also be painting the floor with a no-skid grit paint. The walls will also be painted before the summer programs begin. She will also be working on the sizes for a sink and refrigerator for the summer.

She also will be presenting a proposal regarding a new dug out for ANJO Baseball League. Supervisor Smith stated that it must be discussed and worked into the Town's contract with ANJO League.

Lastly, she thanked Dan Seaman for his service and commitment to the Town of Lockport and stated that she had learned much from him. She wished him well on his new endeavors.

Councilman Crocker stated he very much appreciated Dan Seaman's dedication and service to the Town.

5. Town Supervisor's Comments

Day Road Park Parking Lot – Supervisor Smith thanked the Town Highway Department on the quick and excellent job they did in constructing a new parking lot along East High Street.

Niagara County Dept. of Public Works – Received another notice regarding the contract to re-align the Lincoln Avenue/Beattie Ave intersection. They will be obtaining grant funds to relocate the water line at that location and have re-figured the Town of Lockport's cost in that project to be a maximum of \$50,200.00. It's a necessity to move the water line from under the road bed, out to the right of way. It was asked if a timetable had been set for the entire project and he stated that no times have been given. Mr. Klavoon reported that it will be at least a year before the County obtains all the easements and commences with the bidding process. In the mean time, Supervisor Smith stated that the Town's Building Department has the County's rough drafts of the project which can be made available to any of the public interested in seeing them.

Refuse/Recycling Contract Negotiations – Supervisor Smith conveyed that Deputy Supervisor Crocker had been working with C.I.D. Waste Management to discuss a renewal of the Town's contract. Mr., Crocker briefed the Town Board as to the proposed three –year extension which would include a 0% increase for 2014, a 2% increase for 2015 and a 0% increase for 2016. Mr. Crocker stated that he had compared Waste Management's contract to that of Modern Disposal's contract with the Town of Amherst. They are both competitive in the pricing but there are differing services in that the Town of Amherst has a large refuse tote included. Waste Management's contract in the Town of Lockport calls for a pickup of 6 bags which is larger than the amount collected by Modern. Additionally, the Town of Lockport does not have a rodent issue which is one big factor for requiring the large totes. The Town of Lockport has an excellent recycling program established. The Town is one of the largest recycling towns in the area. The Town also has established an awards program for the amount of recyclables that residents can take advantage of. Town residents however, are not taking full advantage of the points program so Mr. Crocker feels that more education on the program should be provided. Lastly, the Town of Lockport, through their contract with Waste Management, offers the purchase of "extra refuse tags" for \$1 each for refuse over and above the contracted amount as well as "leaf bag tags" for the price of 25¢ each for the pickup of leaves. Overall, Mr. Crocker believes the three-year extension with Waste Management is a good deal and it would be his recommendation to approve the extension.

MOTION (2013-68) to approve a three-year contract extension with C.I.D. Waste Management which would provide a 0% increase for 2014, a 2% increase for 2015 and a 0% increase for 2016, was made by Council Member Crocker and seconded by Council Member Antkowiak. The motion was CARRIED: AYES-4, NAYS-0. Voting AYE: Antkowiak, Crocker, Dufour and Smith.

6. **Executive Session Entered**

MOTION (2013-69) 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, Dufour and Smith.

The Town Board entered Executive Session at 1:27 p.m.

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

MOTION (2013-70) to exit Executive Session and to reconvene the work session was made by Council Member Dufour and seconded by Council Member Crocker. The motion was CARRIED: AYES-4, NAYS-0. Voting AYE: Antkowiak, Crocker, Dufour and Smith.

The work session was reconvened at 2:00 p.m. with no action taken during Executive Session.

8. Adjournment

MOTION (2013-71) to adjourn was made by Council Member Crocker and seconded by Council Member Antkowiak. The motion was CARRIED: AYES-4, NAYS-0. Voting AYE: Antkowiak, Crocker, Dufour and Smith.

The meeting ended at 2:01 p.m. The Lockport Town Board will next meet at 7:30 p.m. on Wednesday, April 10, 2013.

Respectfully submitted,

Nancy A. Brooks, RMC, CMC
Lockport Town Clerk