

May 8, 2013

A regular monthly meeting of the Lockport Town Board was conducted at 7:30 p.m. on Wednesday, May 8, 2013, at the Town Hall, 6560 Dysinger Road, Lockport, New York.

Present were: Supervisor: Marc R. Smith

Town Council members: Cheryl A. Antkowiak  
Paul W. Siejak  
Mark C. Crocker  
Patricia Dufour

Also present: Nancy A. Brooks, Town Clerk and Michael J. Norris, Town Attorney, and Deputy Clerks Judith Newbold and Carol Stuart.

Following the Pledge of Allegiance, Supervisor Smith opened the meeting as follows:

PUBLIC COMMENTS: The following persons spoke:

Carol Clark of Murphy Road read a statement in opposition to the rezoning for the LaFarge Stone Quarry expansion.

Leonard Sayward of Murphy Road questioned if the Town Board would include the public in the future revisions to the Town's Master Plan. He also questioned whether the Town has a copy of the NYSDEC's permit which allows LaFarge to expand further along Hinman Road.

Paul Black of Harding Ave Extension expanded on his previously submitted "Public Meetings Bylaws" document. His main point was to strongly urge that all Town Board meetings be conducted in the evening. A copy of his statement was provided for the Board Members.

There being no further comments, the Public Comment segment was closed and the regular monthly business meeting was opened for the following discussion and/or action:

1. Approval of Town Board Minutes

**MOTION (2013-94)** to approve the minutes of Town Board meetings on 04/09/2013, 04/10/2013 and 04/24/2013 was made by Council Member Siejak and seconded by Council Member Dufour. The motion was CARRIED: AYES-5, NAYS-0. Voting AYE: Antkowiak, Siejak, Crocker, Dufour and Smith.

2. Approval of Payment of Bills

**MOTION (2013-95)** to approve the payment of bills for the month of May was made by Council Member Siejak and seconded by Council Member Crocker. The motion was CARRIED: AYES-5, NAYS-0. Voting AYE: Antkowiak, Siejak, Crocker, Dufour and Smith.

3. Communications

The Town Clerk congratulated the Town of Royalton Town Clerk, Marie Little, for being honored as the 2013 New York State Town Clerk of the Year at the N.Y.S. Town Clerks Conference held in Buffalo, New York on April 30, 2013.

Additionally, she reported the following persons were approved by the Town of Lockport Fire Prevention Bureau and required Town Board action. The candidates are as listed below:

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Lawrence P. Stanton Sr. ....Wright's Corners Fire Co.  
Lawrence P. Stanton Jr. ....Wright's Corners Fire Co.  
Zachary W. Wade.....Wright's Corners Fire Co.  
Norman A. Taylor Jr. ....South Lockport Fire Co.

**MOTION (2013-96)** to approve the above listed individuals for volunteer fire service in the Town of Lockport was made by Council Member Antkowiak and seconded by Council Member Dufour. The motion was CARRIED: AYES-5, NAYS-0. Voting AYE: Antkowiak, Siejak, Crocker, Dufour and Smith

4. Building Inspector's Report

Councilwoman Dufour read the Building Inspector's Report for the month of April 2013 which states that 66 building permits were issued; \$6,437.20 was collected in fees; and the estimated cost of construction was \$1,162,807.00.

5. Supervisor's Monthly Financial Report

**MOTION (2013-97)** to approve the Supervisor's Monthly Financial Report for the period ending April 30, 2013 was made by Council Member Antkowiak and seconded by Council Member Crocker. The motion was CARRIED: AYES-5, NAYS-0. Voting AYE: Antkowiak, Siejak, Crocker, Dufour and Smith.

6. Resolution to Establish a Uniform Roadside Ditch Culvert Policy

**MOTION (2013-98)** on a motion by Council Member Antkowiak and seconded by Council Member Dufour, the following resolution was duly ADOPTED: AYES-5, NAYS-0. Voting AYE: Antkowiak, Siejak, Crocker, Dufour and Smith.

## TOWN OF LOCKPORT

### RESOLUTION

**WHEREAS**, installation of roadside ditch culverts for aesthetic purposes at request of property owners is expensive and may cause drainage problems, and

**WHEREAS**, a uniform policy is necessary to address such requests,

**NOW, THEREFORE, BE IT RESOLVED,**

That the following is the Policy of the Town of Lockport for installing piping in open roadside ditches:

- 1) All applications for piping of roadside ditches shall be made to the Town Highway Superintendent.
- 2) The fee for processing the application should be paid when submitted.
- 3) The Highway Superintendent will investigate the request and determine whether the desired piping may be installed without causing drainage problems, maintenance problems or area drainage issues and shall be compatible with the Town and State drainage requirements. When necessary the Highway Superintendent may seek the advice of the Town Consulting Engineer. If the Superintendent determines that piping may be installed the following procedure shall be followed:

1. The length, type, circumference of necessary piping and fittings shall be determined by the Town Highway Superintendent.
2. The property owner shall be notified of the cost, and shall pay the cost of materials as determined on a case by case basis and Town Installation Fee prior to scheduling. The Town Installation Fee shall be established by resolution of the Town Board.
3. Upon receipt of the fee and costs the Highway Superintendent will install the pipe when Town forces are available. Installation of pipe will be a low priority project to be performed as time permits.
4. The property owner/applicant shall be responsible for top soil, grading and seeding without Town assistance.
5. The fee for application, the reimbursement for Town labor, equipment and material cost (exclusive of pipe cost), the installation fee, shall be established by the Town Board, from time to time, by resolution of the Town Board.
7. Resolution to Amend the Town Fee Schedule

**MOTION (2013-99)** on a motion by Council Member Siejak and seconded by Council Member Antkowiak, the following resolution was duly ADOPTED: AYES-4, ABSTAIN - 1. Voting AYE: Antkowiak, Siejak, Crocker, and Smith. Abstain: Dufour.

## TOWN OF LOCKPORT

### RESOLUTION

**WHEREAS**, pursuant to the Town Code Section §90-7, the Town of Lockport established fees in lieu of parkland, and

**WHEREAS**, the amount of these fees established by Town Code §90-7 may be increased or decreased pursuant to Town Code §90-7, and

**WHEREAS**, pursuant to Town Code Section §90-5, the Town Board may establish and change fees by Resolution,

**NOW, THEREFORE BE IT RESOLVED:**

The Fee Schedule established by Town Code §90-7 (b) is hereby replaced in its entirety by the following fee schedule, which shall take effect immediately:

**Fee Schedule.** The following fee shall be charged by the Town of Lockport Law §277 (4) and §277-a (6) where imposed in accordance with such sections:

- B. (1) For each building lot within a residential subdivision consisting of four lots or less: \$250.00,
- (2) For each building lot within a residential subdivision consisting of five or more lots: \$400.00.

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- (3) For each dwelling unit within a residential site plan: \$400.00.
- (4) For each mobile home lot within a mobile home park: \$400.00.  
This fee is in addition to private recreation areas established in a mobile home park as required by the Town's law and regulations. If, for any reason, such private recreation area is not developed, the fee shall be \$400.00 for each lot. This section does not authorize waiver of required private recreation areas.

**BE IT FURTHER RESOVED**, that the fees established herein shall become part of the Fee Schedule established in §90-3.

8. Resolution to Approve Hiring of Seasonal Personnel

**MOTION (2013-100)** to approve the hiring of two (2) seasonal employees for the Town of Lockport Sewer/Water Department and one (1) seasonal employee for the Town of Lockport Highway Department, at an hourly rate of \$10.00, was made by Council Member Siejak and seconded by Council Member Crocker. The motion was CARRIED: AYES-5, NAYS-0. Voting AYE: Antkowiak, Siejak, Crocker, Dufour and Smith.

9. Resolution to Authorize the Repair of the HVAC System at the Town Court

**MOTION (2013-101)** on a motion by Council Member Crocker and seconded by Council Member Antkowiak, the following resolution was duly ADOPTED: AYES-5, NAYS-0. Voting AYE: Antkowiak, Siejak, Crocker, Dufour and Smith.

**WHEREAS**, the Town of Lockport Court Facility has been found to be in need of repairs to the HVAC system, and

**WHEREAS**, the Town's consulting engineer has assisted the Town Supervisor in seeking and obtaining quotations for the repair of said system,

**BE IT RESOLVED**, that the Town Supervisor is hereby authorized to award the repair of the HVAC system for the Lockport Town Court Facility to Johnson Controls, the low bidder in the amount of \$7,610.00.

10. Resolution to Approve Contract with the YWCA

**MOTION (2013-102)** to authorize the Supervisor to enter a contract with the YWCA to provide a children's craft program at Day Road Park in the summer of 2013 at a cost of \$750 was made by Council Member Antkowiak and seconded by Council Member Crocker. The motion was CARRIED: AYES-5, NAYS-0. Voting AYE: Antkowiak, Siejak, Crocker, Dufour and Smith.

11. Resolution to Approve Contract with Greater Niagara Musicians Assoc.

**MOTION (2013-103)** to authorize the Supervisor to enter a contract in the amount of \$2,400.00 with the Greater Niagara Musicians Association to perform two concerts over the summer of 2013, was made by Council Member Antkowiak and seconded by Council Member Dufour. The motion was CARRIED: AYES-5, NAYS-0. Voting AYE: Antkowiak, Siejak, Crocker, Dufour and Smith.

12. Resolution to Approve Contract with An-Jo Baseball League

**MOTION (2013-104)** to authorize the Supervisor to enter a contract with the An-Jo Baseball League to provide baseball/softball activities for Town children during the summer of 2013, at a cost of \$15 per child in addition to a one-time payment of

\$2,778.00 was made by Council Member Crocker and seconded by Council Member Antkowiak. The motion was CARRIED: AYES-5, NAYS-0. Voting AYE: Antkowiak, Siejak, Crocker, Dufour and Smith.

13. Resolution to Approve Contract with Lockport Little League

**MOTION (2013-105)** to authorize the Supervisor to enter a contract with the Lockport Little League to provide baseball/softball activities for Town children during the summer of 2013 at a cost of \$15 per child was made by Council Member Antkowiak and seconded by Council Member Dufour. The motion was CARRIED: AYES-5, NAYS-0. Voting AYE: Antkowiak, Siejak, Crocker, Dufour and Smith.

14. Resolution to Approve Contract with the Niagara Co. Historical Society

**MOTION (2013-106)** to authorize the Supervisor to enter a contract with the Niagara County Historical Society to provide cultural and entertainment opportunities to Town residents at discounted rates was made by Council Member Siejak and seconded by Council Member Antkowiak. The motion was CARRIED: AYES-5, NAYS-0. Voting AYE: Antkowiak, Siejak, Crocker, Dufour and Smith.

15. Town Board Comments

*Councilwoman Antkowiak* briefly explained some of the recreation contracts that were approved at the evening's meeting.

Additionally, she announced the following:

Summer Swim Program 2013 – Registration for this year's program will be taken at the Town Clerk's office. The cost is \$55 per child and lessons will take place at Lockport High School.

Summer Newsletter – Should be in the mail in early June. The Town's Movie Nights will now be held at Day Road Park. Community Day will always be held at the Town Hall.

Day Road Park Memorial Brick Walk – Plans are still being completed for the program. Interested persons can leave their name and contact number with the Town Clerk's office and they will be contacted when final arrangements for the program are in place.

Dale Association Senior Forum – Will take place at the Dale Senior Citizen Center on May 10<sup>th</sup> from 1-3:00 p.m. There will be representatives from all the area municipalities, representatives from many County and State service agencies as well as several insurance agencies. She added that the forum is always very informative for all people not just seniors and encouraged everyone interested to attend.

*Councilman Siejak* thanked all those who spoke during the Public Comment section. He also reminded residents of the May 20<sup>th</sup> town-wide brush pickup and that refuse pickup will be one day late the week of Memorial Day.

Additionally, he announced that the Lockport Town Historical Society, in conjunction with the Town of Royalton Historical Society, will host a meeting on May 20th at 7:00 p.m. at the Lockport Town Hall. John K. Hall will be the speaker and he will talk about his book, "Walking Through the Town of Lockport". The public is welcomed.

He reminded residents that the Town-wide Garage Sale will be held May 31-June 2.

Lastly, he announced that May is Motorcycle Safety Month and urged everyone to ride safely and to watch for motorcyclists.

*Councilwoman Dufour* welcomed Mr. Norris as the new Town Attorney and stated she looks forward to working with him.

She announced that the next Town Planning Board meeting will be conducted on May 15<sup>th</sup> at 7:00 p.m.

She also reported that the Town Assessor had completed 84 informal Assessment Hearings and that anyone wishing to have a hearing on their 2014 property assessment can still make arrangements for a hearing until May 28<sup>th</sup>.

*Councilman Crocker* reported that the Town Board had sponsored a table at the 2013 Armed Forces Week Luncheon to be held on Thursday, May 9<sup>th</sup> at the Connecticut Street Armory and that many of the local veterans will be attending.

Additionally, Renee Knight, a local resident is looking for area volunteers to work a dinner for homeless veterans to be conducted at the Elk's Club on June 21, 2013 at 6:00 p.m. Interested persons can contact Councilman Crocker.

16. Supervisor's Comments

Day Road Park Update - Supervisor Smith stated that residents should soon see construction of the new pavilion begin at the park. The Town Highway Dept. has already installed a new parking lot along East High Street and later in the year, after the stone in the parking lot has settled, the Highway Dept. will return to pave it.

Sidewalks will also be constructed along East High Street as part of a grant previously awarded to the Town.

Lytle Park – a parking lot for this park is also scheduled to be constructed.

Transit North Project - A long-term beautification project will begin this summer with trees and perennial flowers being planted along Transit Road. The object is to make the area more aesthetically appealing to both area residents and to prospective developers.

17. Adjournment

**MOTION (2013-107)** to adjourn was made by Council Member Siejak and seconded by Council Member Antkowiak. The motion was CARRIED: AYES-5, NAYS-0. Voting AYE: Antkowiak, Siejak, Crocker, Dufour and Smith.

The Meeting was ended at 8:02 p.m. The Lockport Town Board will next meet at 1:00 p.m. on Wednesday, May 22, 2013.

Respectfully submitted,

Nancy A. Brooks, RMC, CMC  
Lockport Town Clerk