

October 9, 2013

A regular monthly meeting of the Lockport Town Board was conducted at 7:30 p.m. on Wednesday, October 9, 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 Judi Newbold, Deputy Town Clerk and approximately 50 residents and/or students.

Supervisor Smith welcomed everyone in attendance and opened the meeting as follows:

PUBLIC COMMENTS: The following individuals spoke.

Tom Keough of Twilight Lane spoke on behalf of the Niagara County Military Affairs Council. Mr. Keough thanked the Town Board for the past and continued support of the Niagara Falls Air Base stating that the air base employes nearly 3500 full-time and part-time military, contractors and civilians. The mission statement of NIMAC is to promote the growth and prosperity of the air base, thus positively impacting the economic development of Niagara County. The payroll for the air base is approximately \$88 million which generates a regional impact of approximately \$168 million for all of Niagara County and the surrounding area. He stated that there have been over \$100 million dollars in improvements at the air base since the inception of NIMAC nearly 15 years ago: including such things as indoor firing range used by several agencies, an improved air craft ramp, a new dining/conference center, new air taxi ways and an improved 10,000 ft run way. The 107th Air National Guard & the 914th Air Reserve Unit share the facility and both will be converting over to different on-site missions but they will continue to be based out of Niagara Falls. He briefly explained the new missions for both units.

Paul Black of Harding Avenue Ext. spoke regarding the objectives of the petitions he filed on September 4, 2013. He stated that 94% of the people contacted regarding the issue of medians along So. Transit Road – which were applied for in a grant application put forth by the Town of Lockport, were opposed to the idea of medians. He stated that he has written to David Kinyon, Director of Econ. Development, regarding the Transit North project, asking how the proposed changes along Transit Road will attract new or retain business, how it will generate sales tax and how will traffic counting affect traffic flows along Transit Road.

There being no others to speak before the Town Board, the Public Comment section was closed and the regular business meeting was opened as follows:

*** Councilwoman Antkowiak left the dais at this time only to return later during the meeting.**

BUSINESS MEETING:

1. Approval of Minutes

MOTION (2013-206) to approve the Town Board minutes of 09/03/2013, 09/04/2013, 09/18/2013 and 09/25/2013 was made by Council Member Siejak and seconded by Council Member Dufour. The motion was duly ADOPTED: AYES-4, NAYS-0. Voting AYE: Siejak, Crocker, Dufour and Smith.

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2. Approval of Payment of Bills

MOTION (2013-207) top approve the payment of bills for the month of October was made by Council Member Crocker and seconded by Council Member Siejak. The motion was CARRIED: AYES-4, NAYS-0. Voting AYE: Siejak, Crocker, Dufour and Smith.

The bills for October include Vouchers #29792 – 30015 in the amount of \$814,313.11.

3. Communications

The Town Clerk reminded women that October is Breast Cancer Awareness Month and urged all women to see their physicians regularly, practice self examination and to have routine mammograms as prescribed by their physicians.

She also thanked the volunteer veterinarians, the Niagara County Health Dept., David Miller, Town Highway Superintendent, Judi Newbold and Carol Stuart, Deputy Town Clerks, and Chief, Barry Kobrin and members of the Rapids Vol. Fire Company for helping to conduct a very successful free rabies clinic on September 21, 2013. Over 800 rabies inoculations were dispensed and over 30 new dog licenses were issued.

Lastly, she stated that the Town Fire Prevention Bureau was presenting two individuals for Town Board approval for volunteer fire service in the Town. The individuals are as follows:

Jason B. Kobrin.....Rapids Fire Co.
Stephen Spencer.....Gasport Fire Co.

MOTION (2013-208) to approve the above mentioned individuals for volunteer fire service in the Town of Lockport was made by Council Member Dufour and seconded by Council Member Crocker. The motion was CARRIED: AYES-4, NAYS-0. Voting AYE: Siejak, Crocker, Dufour and Smith.

4. Building Inspector's Report

Councilwoman Dufour read the report for the month of September which states that 52 building permits were issued; \$49,196.00 was collected in fees and the estimated cost of construction was \$14,984,147.00. She noted that \$44,000.00 of the fees collected was for the building permit issued to the soon-to-be-built Super Wal Mart.

5. Supervisor's Monthly Financial Report

MOTION (2013-209) to approve the Supervisor's monthly Financial Report for the period ending 09/30/2013, was made by Council Member Siejak and seconded by Council Member Dufour. The motion was CARRIED: AYES-4, NAYS-0. Voting AYE: Siejak, Crocker, Dufour and Smith.

6. Resolution to Notify Nia. Co. Real Property of Unpaid Sewer, Water & Refuse

MOTION (2013-210) to authorize the Supervisor to notify Niagara County Real Property Services of unpaid Sewer, Water and Refuse fees before November 1, 2013 and to have Real Property Services add those amounts to the 2014 Niagara County Tax Roll was made by Council Member Crocker and seconded by Council Member Antkowiak. The motion was put to a ROLL CALL VOTE and was CARRIED: AYES-4, NAYS-0. Voting AYE: Siejak, Crocker, Dufour and Smith.

7. Resolution to Approve the 2014 Tentative Town Budget as the 2014 Preliminary Town Budget

Supervisor Smith reported that as in years past, the 2014 Preliminary Town Budget will project a decrease of \$3.55 in the tax bill for the average household assessed at \$100,000.00.

MOTION (2013-211) to approve the 2014 Tentative Town Budget as the 2014 Preliminary Town Budget was made by Council Member Crocker and seconded by Council Member Dufour. The motion was CARRIED: AYES-4, NAYS-0. Voting AYE: Siejak, Crocker, Dufour and Smith.

8. Resolution Calling for Public Hearing on the 2014 Preliminary Town Budget

MOTION (2013-212) to call for a Public Hearing on the 2014 Preliminary Town Budget for 7:30 p.m. on Wednesday, November 6, 2013 was made by Council Member Siejak and seconded by Council Member Dufour. The motion was CARRIED: AYES-4, NAYS-0. Voting AYE: Siejak, Crocker, Dufour and Smith.

9. Resolution Calling for Public Hearing on the 2014 Special Districts Tax Roll

MOTION (2013-213) to call for a Public Hearing on the 2014 Special Districts Tax Roll for 7:30 p.m. on Wednesday, November 6, 2013 was made by Council Member Dufour and seconded by Council Member Siejak. The motion was CARRIED: AYES-4, NAYS-0. Voting AYE: Siejak, Crocker, Dufour and Smith.

10. Resolution Calling for Public Hearing on 2014 Sewer Tax Roll

MOTION (2013-214) to call for a Public Hearing on the 2014 Sewer Tax Roll for 7:30 p.m. on Wednesday, November 6, 2013 was made by Council Member Crocker and seconded by Council Member Dufour. The motion was CARRIED: AYES-4, NAYS-0. Voting AYE: Siejak, Crocker, Dufour and Smith.

11. Resolution Calling for Public Hearing on 2014 Water Tax Roll

MOTION (2013-215) to call for a Public Hearing on the 2014 Water Tax Roll for 7:30 p.m. on Wednesday, November 6, 2013 was made by Council Member Siejak and seconded by Council Member Dufour. The motion was CARRIED: AYES-4, NAYS-0. Voting AYE: Siejak, Crocker, Dufour and Smith.

12. Resolution Calling for Public Hearing on the 2014 Fire Contracts

MOTION (2013-216) to call for a Public Hearing on the 2014 Fire Contracts for 7:30 p.m. on Wednesday, November 6, 2013 was made by Council Member Crocker and seconded by Council Member Siejak. The motion was CARRIED: AYES-4, NAYS-0. Voting AYE: Siejak, Crocker, Dufour and Smith.

* **Councilwoman Antkowiak re-enters the meeting.**

13. Resolution to Enter Contract with Ross Rental

MOTION (2013-217) to authorize the Supervisor to enter a contract with Ross Rental to provide a bounce house for the Town Fall Festival on October 20, 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.

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14. Resolution to Enter Contract with Becker Farms

MOTION (2013-218) to authorize the Supervisor to enter a contract with Becker Farms to provide discount passes to Town residents for hayrides at their "Pumpkin Fiesta" 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.

15. Resolution to Enter Contract with Lakeview Animal Sanctuary

MOTION (2013-219) to authorize the Supervisor to enter a contract with Lakeview Animal Sanctuary Inc. to provide a petting zoo and pony rides for the Town Fall Festival on October 20, 2013, was made by Council Member Antkowiak and seconded by Council Member Siejak. The motion was CARRIED: AYES-5, NAYS-0. Voting AYE: Antkowiak, Siejak, Crocker, Dufour and Smith.

16. Resolution to Award Contract #13-5 (Carpenter's Building HVAC Improvements

MOTION (2013-220) to award Contract #13-5 (Carpenter's Building HVAC Improvements) to Parise Mechanical, Inc. of Tonawanda, NY, the low bidder in the amount of \$30,500.00, 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.

17. Resolution to Approve Change Order #1 to Contract #13-4

MOTION (2013-221) to approve Change Order #1 to Contract #13-4 (Carlisle Gardens & Lincoln Village Sanitary Sewer TV & Flush) to add the amount of \$15,470.20 and increasing the total project cost to \$38,783.10 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.

18. Resolution to Approve Change Order #1 to Contract #13-1 (Utility Repair Contract with Mark Cerrone, Inc.)

MOTION (2013-222) to approve Change Oder #1 to Contract #13-1 to add the amount of \$100,000.00 to cover the cost of added repairs for the Transit Road/Robinson Road sewer line break, 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.

19. Resolution to Approve Town Hall as an Emergency Shelter for George Southard

MOTION (2013-223) to approve Town Hall as an emergency shelter for George Southard School was made by Council Member Antkowiak and seconded by Council Member Siejak. The motion was CARRIED: AYES-5, NAYS-0. Voting AYE: Antkowiak, Siejak, Crocker, Dufour and Smith.

20. Town Board Comments

Councilman Crocker stated it was great to see all the Participation in Government students in attendance. He thanked Mr. Keough for his comments on the Niagara Falls Air Base and commented on Mr. Black's statements, replying that

the petitions presented to the Town Board represented less than 1% (170 signatures) of the total population of the Town and that while he appreciated Mr. Black's comments, he respectfully disagreed because the Town Board must represent all residents of the Town.

Councilwoman Dufour stated she attended the Planning Board meeting and that they have reported that the Immediate Care Center on Transit Road will undergo remodeling. She also reported that persons interested in re-registering for the STAR Program can go online to do so and must do so by December 31, 2013.

Sadly, she also informed those in attendance of the passing of former Town Councilwoman, Deborah Gaskill. Mrs. Gaskill was a long-time employee of the Town of Lockport, having worked previously as a Deputy Town Clerk, former Highway Clerk, and a long serving member of the Town Recreation Committee. As a Councilwoman Mrs. Gaskill was instrumental in helping to establish the Day Road Park and thus the reason that the soccer fields at that location were named in her honor. She urged the students to follow in Mrs. Gaskill's steps and to give back to their communities just as Mrs. Gaskill did for the Town of Lockport. She will be sadly missed.

Councilman Siejak thanked Mr. Keough for his comments, thanked the students in attendance and made the following announcements:

- Monday, Oct 21st – the Town of Lockport Town and Town of Royalton Historical Societies will meet at 7:00 p.m. at the Lockport Town Hall. He urged the students to attend.
- Monthly Brush Pickup for October will be on Monday, Oct.21st. Brush must be out by 7:00 a.m.
- Deer Hunting Season is here and there is no hunting on Town property or in Town Parks

Councilwoman Antkowiak apologized for leaving the dais. She was temporarily ill. She announced the following:

- Fall Festival will be held at the Town Hall on Sunday, Oct. 20th, rain or shine, from 1:00-3:00 p.m. There will be hayrides, pumpkin painting, petting zoo, games and refreshments.
- Winter Fest will be held in conjunction with the City with a parade on Main Street on Saturday, Nov. 30th followed with Santa arriving at Day Road Park the next day, Dec. 1st.

She also mentioned that a pavilion is being constructed at the Day Road Park. This will add beauty and function to the park and is dedicated in honor of a young woman who lost her life at an early age but who contributed to her community.

Lastly, she spoke on the passing of Mrs. Gaskill, stating that she had been an inspiration and the driving force behind the development of the Day Road Park. The Councilwoman encouraged the students to participate in the many organizations within the community stating that volunteerism is very valuable and helps each community to grow as much as it does the individual. She said that Mrs. Gaskill and her dedication to her community will be greatly missed.

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21. Supervisor's Comments

The Supervisor thanked all for attending and hoped that the students enjoyed and learned from attending a formal Town Board meeting. He had nothing more and asked for a motion to adjourn.

MOTION (2013-224) to adjourn 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.

The meeting was ended at 8:05 p.m. The Lockport Town Board will next meet at 1:00 p.m. on Wednesday, October 23, 2013.

Respectfully submitted,

Nancy A. Brooks, RMC, MMC
Lockport Town Clerk