

November 6, 2013

A regular monthly meeting of the Lockport Town Board was conducted at 7:30 p.m. on Wednesday, November 6, 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.

Following the Pledge of Allegiance, the Town Supervisor welcomed all in attendance and opened the meeting as follows:

PUBLIC HEARING: The Town Clerk read the Notice of Public Hearing on the 2014 Town Budget and Amounts to be Raised by Taxation as listed below:

TOWN OF LOCKPORT
NOTICE OF PUBLIC HEARING

PLEASE TAKE NOTICE that the Town Board of the Town of Lockport will hold separate public hearings on the matters referred to herein at the Town Hall, 6560 Dysinger Road, Lockport, New York, on the 6th day of November, 2013, at 7:30 p.m. Said public hearings shall be as follows:

1. A Public Hearing on the preliminary budget for the fiscal year beginning January 1, 2014 as required by Town Law section 108 for the purpose of considering the preliminary budget, and receiving comments from the public relative thereto. Said Budget is on file with the Town Clerk of the Town of Lockport where it may be inspected by any interested person during normal office hours.

Pursuant to Section 108 of the Town Law, the proposed salaries of the following Town Officers are hereby specified as follows:

SUPERVISOR	\$51,501.00
COUNCILMEN (4 @9,906.00)	\$39,624.00
DEPUTY SUPERVISOR	\$ 9,906.00
TOWN CLERK	\$51,058.00
SUPERINTENDENT OF HIGHWAYS	\$77,913.00
JUSTICES (2 @26,341)	\$52,682.00

All persons interested will be heard at the Public Hearing to be held as aforesaid.

2. A Public Hearing on amounts to be raised by taxation for Special Districts in the following districts:

LOCKPORT WATER DISTRICT NO. 3	\$ 759,100.00
LOCKPORT SEWER DISTRICT NO. 3	\$2,688,359.00
LOCKPORT FIRE PROTECTION	\$1,029,700.00
CARLISLE GARDENS SEWER DISTRICT	\$ 70,239.00
CARLISLE GARDENS REFUSE DISTRICT	\$ 25,425.00
CARLISLE GARDENS SIDEWALK DISTRICT	\$ 7,300.00
CARLISLE GARDENS LIGHT DISTRICT	\$ 19,600.00
LINCOLN VILLAGE SEWER DISTRICT	\$ 20,112.00
LOCKPORT REFUSE DISTRICT NO. 2	\$ 958,500.00
RAPIDS LIGHT DISTRICT	\$ 2,480.00

The Special Assessment Rolls have been completed for such districts as required and all tax rates established for benefit districts. All persons interested shall be heard at the public hearing to be held by the Town Board as aforesaid relative to assessments and amounts to be raised in said districts, and to hear any objections to the Special Assessment Rolls, which are available for inspection at the Town Clerk's office.

3. A Public Hearing to authorize contracts with Rapids Fire Company, Inc., South Lockport Fire Company, Inc., Wright's Corners Fire Company, Inc., Gasport Fire District No. 1, and Terry's Corners Fire Company, Inc. to include ambulance service at yearly amounts as follows:

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RAPIDS FIRE COMPANY, INC.	\$331,432.00
SOUTH LOCKPORT FIRE CO. INC.	\$348,098.00
GASPORT FIRE DISTRICT NO. 1	\$ 23,050.00
WRIGHT'S CORNER FIRE CO. INC.	\$331,432.00
TERRY'S CORNERS FIRE CO, INC.	\$ 25,834.00

All persons interested will be heard at the Public Hearing to be held as aforesaid.

PUBLIC HEARING - 2014 Preliminary Budget – No one spoke on the matter. The hearing was closed.

PUBLIC HEARING – 2014 Special District Amounts to be Raised by Taxation – No one spoke. The hearing was closed.

PUBLIC HEARING - 2014 Sewer Tax Roll – No one spoke. The hearing was closed.

PUBLIC HEARING – 2014 Water Tax Roll – No one spoke. The hearing was closed.

PUBLIC HEARING – 2014 Fire Contracts – No one spoke. The hearing was closed.

Supervisor Smith then closed all public hearings and proceeded with the regularly scheduled business meeting as follows:

PUBLIC COMMENTS: No one spoke.

BUSINESS MEETING:

1. Approval of Minutes

MOTION (2013-236) to approve the Town Board minutes of meetings on 10/07/13, 10/09/13, and 10/23/13 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.

2. Approval of Payment of Bills

MOTION (2013-237) to approve the payment of bills for the month of November was made by Council Member Dufour and seconded by Council Member Crocker. The motion was CARRIED: AYES-5, NAYS-0. Voting AYE: Antkowiak, Siejak, Crocker, Dufour and Smith.

The bills for November include Vouchers #30016 – 30217 in the amount of \$737,085.87.

3. Communications

The Town Clerk received a correspondence from the NYS Assoc. of Towns which lists training sessions for newly elected Town officials; one to be held Jan. 8-10, 2013 in Rochester, NY and the other on Jan. 15-17, 2014 in Albany, NY.

4. Building Inspector's Report

Councilwoman Dufour read the report which states that 49 building permits were issued in October; \$18,647.00 was collected in fees; and the estimated cost of construction was \$3,712,357.00.

MOTION (2013-238) to accept the Building Inspector's Report as read 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.

5. Supervisor's Monthly Financial Report

MOTION (2013-239) to accept the Supervisor's Monthly Financial Report for the period ending 10/31/2013, 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.

6. ACTION AFTER PUBLIC HEARING: Adoption of 2014 Final Budget

MOTION (2013-240) to adopt the 2014 Preliminary Town Budget as the FINAL 2014 Town Budget was made by Council Member Antkowiak and seconded by Council Member Dufour. The motion was put to a ROLL CALL VOTE and was CARRIED: AYES-5, NAYS-0. Voting AYE: Antkowiak, Siejak, Crocker, Dufour and Smith.

7. ACTION AFTER PUBLIC HEARING: Adoption of 2014 Special Districts Amounts to be Raised by Taxation

MOTION (2013-241) to adopt the 2014 Special District Amounts to be Raised by Taxation was made by Council Member Crocker and seconded by Council Member Siejak. The motion was put to a ROLL CALL VOTE and was CARRIED: AYES-5, NAYS-0. Voting AYE: Antkowiak, Siejak, Crocker, Dufour and Smith.

8. ACTION AFTER PUBLIC HEARING: Adoption of 2014 Sewer Tax Roll

MOTION (2013-242) to adopt the 2014 Sewer Tax Roll was made by Council Member Antkowiak and seconded by Council Member Crocker. The motion was put to a ROLL CALL VOTE and was CARRIED: AYES-5, NAYS-0. Voting AYE: Antkowiak, Siejak, Crocker, Dufour and Smith.

9. ACTION AFTER PUBLIC HEARING: Adoption of 2014 Water Tax Roll

MOTION (2013-243) to adopt the 2014 Water Tax Roll was made by Council Member Crocker and seconded by Council Member Dufour. The motion was put to a ROLL CALL VOTE and was CARRIED: AYES-5, NAYS-0. Voting AYE: Antkowiak, Siejak, Crocker, Dufour and Smith.

10. ACTION AFTER PUBLIC HEARING: Adoption of 2014 Fire Contracts

MOTION (2013-244) to adopt the 2014 Fire Contracts was made by Council Member Dufour and seconded by Council Member Siejak. The motion was put to a ROLL CALL VOTE and was CARRIED: AYES-5, NAYS-0. Voting AYE: Antkowiak, Siejak, Crocker, Dufour and Smith.

11. Resolution to Award Contract for Day Road Park Improvements

Councilman Crocker explained that a study was completed to see what was necessary to keep the park up to safety standards and then RFP's were sent out relative to the required improvements. Four proposals were received ranging from \$12,663 to \$16,000. Parkitects, Inc. was the low bidder and it was his recommendation to award the improvements contract to them.

MOTION (2013-245) to award the Day Road Park improvement contract to Parkitects, Inc., the low bidder in the amount of \$12,663.00 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.

12. Resolution to Authorize Town Court to Seek Grant

MOTION (2013-246) to authorize the Town Court to seek a Unified Court System Grant for court improvements in an amount not to exceed \$30,000.00 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 the Town of Lockport Audit for 2012

MOTION (2013-247) to approve the Town Audit for the fiscal year ending 12/31/2012, which was conducted by Lumsden and McCormick, Certified Public Accounts, and which included a full audit of the Lockport Town Court 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 Authorize Bids for Sander/Salt Controls with GPS for Town Plows

The supervisor commented that the Town Highway Superintendent had done a good job to gather information on this particular type of GPS which should reduce the amount of salt used by the Town. Councilman Siejak also interjected that there was enough 2013 Town Highway funds available to cover the costs of these units.

MOTION (2013-248) to authorize the Highway Superintendent to seek bids for Sander/Salt Controls with GPS for Town snow plows 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.

15. Res. to Approve the C.S.E.A. Settlement Agreement (Arbitration # A2012-548).

MOTION (2013-249) on a motion by Council Member Crocker and seconded by Council Member Siejak, the following resolution was duly ADOPTED: AYES-5, NAYS-0. Voting AYE: Antkowiak, Siejak, Crocker, Dufour and Smith.

TOWN OF LOCKPORT
RESOLUTION

BE IT RESOLVED, that the Town Board, upon recommendation of the Town Supervisor, hereby approves the settlement agreement of Arbitration #A2012-548, and the amendments to the language of the C.S.E.A. contract indicated therein, and authorizes the Supervisor to sign same.

16. Resolution Calling for Speed Study Near DeSales School

Councilman Crocker announced that a petition by area residents living near DeSales School was presented which requests that the speed limit on Ambleside, Penrith and Rydalmount Road be reduced to 20 mph due to their proximity to the school and the traffic hazard caused by the current speed of traffic in the area.

MOTION (2013-250) to call for a NYSDOT traffic study of Ambleside Dr., Penrith and Rydalmount Roads 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.

17. Town Board Comments

Councilwoman Antkowiak welcomed the Participation in Government students who were in attendance. She then thanked all those who helped to make the Fall Festival such a great success on October 20, 2013. She also announced that "Christmas on the Canal" will begin with a parade which starts at Ida Fritz Park and will travel down Main Street to Charles Street. The following day, December 1st, Santa will arrive at Day Road Park with a Winter Festival which will include, cookies & hot chocolate, games & sleigh rides. The Councilwoman was also very grateful to all the agencies that have helped the Town Recreation Committee to make all the activities and events very successful throughout the years.

Councilman Siejak announced that the final 2013 town-wide brush pickup will be conducted on Monday, Nov. 18, 2013. All brush must be out by 7:00 a.m. He also read the Town's Winter Parking Ordinance which states that there is no parking on Town highways from 1:00 a.m. to 7:00 a.m. from November 1st until April 1st of each year. Also in preparation for winter, the Highway Dept. reports that they have 1100 tons of salt ready to care for the highways this winter. Additionally he informed the crowd that there will be no refuse pickup on Thanksgiving Day and that refuse pickup will be one day late the rest of that week. He reminded everyone that there will be a ceremony marking Veteran's Day at 11:00 a.m. at Outwater Park in the City of Lockport. He urged everyone to observe the holiday in honor of all our veterans. Lastly, he urged pedestrians and joggers to use caution and to wear bright colored clothing now that we have diminished day light hours.

Councilwoman Dufour stated that the Town Board has been very encouraged over the past few weeks in that they have attended the ground breaking for the Yahoo expansion which will offer 125 new jobs to our area; the Super Wal Mart construction has begun; they attended a press conference at Crosby's out on Lake Avenue where they will soon begin using solar panels to reduce more than 20% of the utility fees; the Eastern Niagara Hospital's Immediate Care Center on So. Transit Road will undergo a face lift of its facility; and Planet Fitness was just issued a building permit. She stated she brings these items up to make residents and the government students aware that the Town of Lockport is progressive and business friendly and businesses are willing to locate and invest in this community. Hopefully young people will be able to go to school and return to this community and find good paying jobs here at home. She stated she was very pleased to be a part of this Board and hopes to contribute to the progress for this community.

Councilman Crocker welcomed the residents and students and then talked about a recent political paper that all Town residents received just prior to the election on Tuesday, Nov. 5th. He firmly believes in a person's right to their own opinion and right of expression but this newspaper was very slanderous towards members of the Town Board, the Town Supervisor and the Town Clerk. He stated that the vote on Election Day proved that the plan that the current Town Board has for this community is a positive one and he thanked the electorate for voting them their confidence.

18. Supervisor's Comments

Supervisor Smith also stated that he is very pleased to be working with these Town Board members and that he was grateful for the confidence placed by the voters in himself and the Board. He looks forward to a very productive year with bringing more new jobs and businesses and helping to grow our parks and our community.

19. Adjournment

MOTION (2013-251) 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.

PAGE 6 - Continuation of minutes of Lockport Town Board meeting conducted on 11/06/2013.

The meeting was ended at 7:55 p.m. The Lockport Town Board will next meet at 1:00 p.m. on Wednesday, November 20, 2013.

Respectfully submitted,

Nancy A. Brooks, RMC, MMC
Lockport Town Clerk