

March 5, 2014

A regular monthly meeting of the Lockport Town Board was conducted at 7:30 p.m. on Wednesday, February 5, 2014, at the Town Hall, 6560 Dysinger Road, Lockport, New York.

Present were: Supervisor: Marc R. Smith

Town Council Members: Mark C. Crocker
Paul J. Siejak
Patricia Dufour
Thomas J. Keough

Also present: Michael J. Norris, Town Attorney; Judith Newbold, Deputy Town Clerk; and Carol Stuart, Deputy Town Clerk.

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

PUBLIC COMMENTS:

No one spoke and the Public Comment period was closed and the regular business meeting was opened.

REGULAR BUSINESS MEETING:

1. Approval of Minutes

MOTION (2014-71) to approve the Town Board minutes of 02/03/2014, 02/05/2014, and 02/26/2014 was made by Council Member Siejak and seconded by Council Member Keough. The motion was CARRIED: AYES-5, NAYS-0. Voting AYE: Crocker, Siejak Dufour, Keough and Smith.

2. Approval of Payment of Bills

MOTION (2014-72) to approve the payment of the bills for the month of March was made by Council Member Dufour and seconded by Council Member Crocker. The motion was CARRIED: AYES-5, NAYS-0. Voting AYE: Crocker, Siejak, Dufour, Keough and Smith. The bills for June include vouchers #30834-31020 in the amount of \$357,119.41.

3. Communications

The Deputy Town Clerk read the names of candidates for volunteer fire service who were approved through the Town Fire Prevention Bureau and who required Town Board approval. The list of candidates are as follows:

Christopher W. Lee.....Rapids Fire Co.
Thomas E. Furlong.....Rapids Fire Co.

MOTION (2014-73) to accept the candidates listed above for volunteer fire service in the Town of Lockport was made by Council Member Dufour and seconded by Council Member Siejak. The motion was CARRIED: AYES-5, NAYS-0. Voting AYE: Crocker, Siejak, Dufour, Keough and Smith.

4. Building Inspector's Report

Council Member Dufour read the report for the month of February 2014 which states that 16 building permits were issued; \$1,372.50 was collected in fees; and the estimated cost of construction was \$120,885.00. She explained that construction was down due to the harsh winter conditions, and as the weather improves the building permits will probably increase.

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MOTION (2014-74) to approve the Building Inspector's Report as submitted was made by Council Member Dufour and seconded by Council Member Crocker. The motion was CARRIED: AYES-5, NAYS-0. Voting AYE: Crocker, Siejak, Dufour, Keough and Smith.

5. Supervisor's Monthly Financial Report

MOTION (2014-75) to approve the Supervisor's Monthly Financial Report for the period ending 02/28/2014 was made by Council Member Crocker and seconded by Council Member Dufour. The motion was CARRIED: AYES-5, NAYS-0. Voting AYE: Crocker, Siejak, Dufour, Keough and Smith.

6. Authorization for Contract with Town of Lockport I.D.A.

MOTION (2014-76) to authorize the Supervisor to enter an agreement with the Town of Lockport I.D.A. for the Town Economic Development Coordinator to serve as the Administrative Director for the I.D.A. was made by Council Member Dufour and seconded by Council Member Keough. The motion was CARRIED: AYES-5, NAYS-0. Voting AYE: Crocker, Siejak, Dufour, Keough and Smith.

7. Authorization for Contract with the Historic Palace Theatre

MOTION (2014-77) to authorize the Supervisor to enter an agreement with the Historic Palace Theatre to provide discount passes to Town of Lockport residents for \$2.00 off the price of admission and .75 off concession items was made by Council Member Siejak and seconded by Council Member Keough. The motion was CARRIED: AYES-5, NAYS-0. Voting AYE: Crocker, Siejak, Dufour, Keough and Smith.

8. Authorization for Contract with Lockport Locks & Erie Canal Cruises, Inc.

MOTION (2014-78) to authorize the Supervisor to enter an agreement with Lockport Locks & Erie Canal Cruises, Inc. to provide discount passes to Town of Lockport residents for the 2014 season for \$3.50 off an adult admission and \$2.00 off a child's admission was made by Council Member Crocker and seconded by Council Member Dufour. The motion was CARRIED: AYES-5, NAYS-0. Voting AYE: Crocker, Siejak, Dufour, Keough and Smith.

9. Authorization for Contract with Young Woman's Christian Association

MOTION (2014-79) to authorize the Supervisor to enter an agreement with YWCA of Niagara, Lockport, NY to provide swimming lessons to Town of Lockport children with a discount pass provided for \$20.00 off the price of lessons from July 7- Aug 1, 2014 was made by Council Member Keough and seconded by Council Member Siejak. The motion was CARRIED: AYES-5, NAYS-0. Voting AYE: Crocker, Siejak, Dufour, Keough and Smith.

10. Authorization for Contract with An-Jo Baseball League

MOTION (2014-80) to authorize the Supervisor to enter an agreement with An-Jo Baseball to provide Town of Lockport children the opportunity to participate in An-Jo Baseball Activities during the 2014 season with a discount provided for \$15.00 off per child was made by Council Member Crocker, and seconded by Council Member Dufour. The motion was CARRIED: AYES-5, NAYS-0. Voting AYE: Crocker, Siejak, Dufour, Keough and Smith.

11. Approval of Contract with Highway Superintendent for 2014 Paving Projects

MOTION (2014-81) for the execution of a contract with the Town Highway Superintendent authorizing the 2014 Paving Project List as provided, was made by Council Member Siejak and seconded by Council Member Keough. The motion was CARRIED: AYES-5, NAYS-0. Voting AYE: Crocker, Siejak, Dufour, Keough and Smith.

12. Approval of 2014 Ditching Projects

MOTION (2014-82) on a motion by Council Member Crocker and seconded by Council Member Keough, the following resolution was put to a ROLL CALL vote and duly ADOPTED: AYES - 5, NAYS - 0. Voting AYE: Crocker, Siejak, Dufour, Keough and Smith.

TOWN OF LOCKPORT

RESOLUTION

RESOLVED THAT, pursuant to Town Law Section 64(11)(a), this Board hereby determines that the drainage projects set forth herein are beneficial to the Town as a whole, for the purpose of drainage of areas of the Town as affected by the various projects. The Town Superintendent of Highways is hereby authorized:

1. To commence and complete the drainage projects set forth herein, in the order in which he shall determine appropriate, and to complete certain of said projects and to make a determination not to complete others.
2. The cost of the expenditures set forth herein shall be made from the general fund of the Town of Lockport from taxes levied or revenues received in the year in which the projects set forth below are completed.
3. The projects may be completed during the fiscal year 2014 or may be carried forward to future fiscal years, as time allows.
4. The authorization herein shall be subject to the determination of the Superintendent of Highways as to the necessity, the practicality, and the expense of such projects.
5. The Superintendent of Highways is authorized to obtain permits and/or easements for entry upon private properties for the purpose of accomplishing the drainage projects set forth herein. Whenever possible, unless the Superintendent determines otherwise, permanent easements shall be required from property owners in order to accomplish the purposes of this Resolution.
6. The Superintendent of Highways is authorized to determine not to undertake any of the projects set forth herein, if he is unable to obtain appropriate permits or easements, or as he otherwise determines for any reason. In the event that the acquisition of property by the

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Town Board becomes necessary pursuant to its eminent domain powers, he shall so recommend such action to the Town Board. In such instances, the project shall not proceed without such acquisitions.

7. The Superintendent of Highways is authorized to take any further related and ancillary action as is necessary to accomplish the purposes of this Resolution. This Resolution is subject to permissive referendum.

The projects which are authorized pursuant to this Resolution are:

A. Excavation and cleaning of an existing ditch over and across the following designated properties:

Young Road and Leete Road, Tax Map Nos. 94.01-1-47.1, 94.03-1-8, 94.03-1-9, 94.03-1-53, 94.03-1-54.

B. Excavation and cleaning of an existing ditch over and across the following properties:

Rochester Road and Chestnut Ridge Road, Tax Map No's. 96.00-1-29, 110.01-3-16, 110.01-3-17, 110.01-3-21, 110.01-3-28, 110.01-3-41, 110.01-3-42, 110.01-3-43, 110.01-3-44, 110.01-3-45, 110.01-3-46, 110.01-3-47, 110.01-3-48, 110.01-3-49, 110.01-3-50, 110.01-3-51, 110.01-3-52, 110.01-3-53, 110.01-3-54.

C. Excavating and cleaning of an existing ditch over and across the following designated properties:

Hallmark Lane and Hartford Drive, Tax Map No's. 124.03-4-8, 124.03-4-9, 124.03-4-27, 124.03-4-28, 124.03-4-40, 124.03-4-41, 124.03-4-51.

D. Excavating and cleaning of an existing ditch over and across the following designated properties:

Akron Road and Northview Drive, Tax Map No's. 123.02-1-5, 124.01-1-72, 124.05-1-44, 123.02-1-66.

E. Excavating and cleaning of an existing ditch over and across the following designated properties:

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Jennifer Drive, Jennifer Drive W., Locust Street, Erna Drive, Tax Map No's.

123.14-4-41, 123.14-4-58, 123.14-4-60, 123.14-4-61, 123.14-4-62, 123.14-4-63,
123.18-2-2, 123.18-2-3.

F. Excavating and cleaning of an existing ditch over and across the following designated properties:

Lockwood Lane and Forestview Drive, Tax Map No's. 167.01-1-51, 167.01-1-52,
167.01-1-69, 167.01-1-75, 167.01-3-18, 167.01-3-59.

G. Excavating and cleaning of an existing ditch over and across the following designated properties:

Bartz Road and Old Beattie Road, Tax Map No's. 152.03-1-5, 152.03-1-8.2,
152.03-1-9.2.

H. Excavating and cleaning of an existing ditch over and across the following designated properties:

Saunders Settlement Road, Old Saunders Settlement Road, Junction Road, Tax Map No's. 122.00-1-3.1, 122.00-1-4, 122.00-1-5, 122.00-1-7, 122.00-1-8, 122.00-1-9, 122.00-1-10, 122.00-1-11, 122.00-1-12, 122.00-1-14, 122.00-1-15, 122.00-1-2.12, 122.00-1-2.2.

I. Excavating and cleaning of an existing ditch over and across the following designated properties:

Lower Mountain Road, Tax Map No's. 94.00-1-33.111, 94.00-1-36, 108.00-1-1, 108.00-1-2.

13. Authorization for Waiver for Steak Stone & Sushi, LLC (5772 South Transit Rd.)

MOTION (2014-82) to authorize the Town Board to waive the 30 day period for municipality notification to obtain a liquor license for Steak, Stone & Sushi, LLC (5772 South Transit Road) was made by Council Member Dufour and seconded by Council Member Keough. The motion was CARRIED: AYES-5, NAYS-0. Voting AYE: Crocker, Siejak, Dufour, Keough and Smith.

14. Town Board Comments/Reports

Councilmember Crocker felt it was good to see so many Participation in Government students. He also reported good news from Washington DC. In response to complaints from homeowners in flood prone areas about sharp premium increases; Congress has approved a bill that would roll back the recently enacted federal flood insurance program.

The bill will allow sellers to give their subsidized, below-market insurance rates to new buyers and lower the limit on how much flood insurance premiums can rise each year. The Town Board had received many calls from residents last year complaining that their flood insurance has risen as much as three times the normal amount, the council members started petitioning local politicians and urged State Senators not to allow this large increase. He hopes to see the senate support this bill as well.

Councilmember Dufour thanked Councilmember Crocker for his continued efforts and diligent work with government agencies on behalf of the Town residents.

She also urged residents to take advantage of the programs at the Dale Association. They will be offering Income Tax Preparation services free of charge to low and moderate income families. Currently, on staff at the Dale Association is Health Plan Navigator, Joy Richter who can help those not eligible for Medicare and in need of assistance with insurance plan selection. The Dale will also be holding their Annual Basket Raffle and Luncheon April 5th at the Cornell Cooperative Extension. Donna Eick will be catering and tickets are \$25.00 a piece. Contact the Dale to take advantage of these great programs (433-1886).

She reported the Town newsletter should be coming out on or about April 1st and reminded residents to look for our community events, including the first movie for 2014 at Day Road Park, Despicable Me 2 (June 27).

She gave a quick summary of progress at the Day Road Park. A grant has been approved for the soccer field bleachers. A family will be purchasing player's benches in memory of their loved one who was an avid soccer organizer. When weather permits, the concrete will be poured for the pavilion as well.

Councilmember Siejak welcomed the Participation in Government students and reminded everyone that Monday, March 17th will begin the brush pick up schedule for 2014 and it will continue for eight months. Residents are required to have their brush at the curb by 7:00 a.m.

Councilmember Keough pointed out that the Town of Lockport is a strong supporter of military veterans and with this in mind he wanted to report we have purchased a table at the Armed Forces Luncheon on May 8, 2014 at 12:00 p.m. at the Connecticut Street Armory. Tickets will be available by the end of next week and those interested in attending can contact him at 439-9575.

15. Supervisor's Comments/Reports

Supervisor Smith wished to make everyone aware that the Town is working on their Master plan which will be a guide for the next decade on how we wish the community to develop. Currently, the document is out for staff review and we anticipate it will be on the Town website by middle of April. The first public meeting is scheduled for May 14th at 6:00 p.m. in an "open house" style and we hope to have a large amount of public support and comments to make Lockport a better place in the future.

16. Adjournment.

MOTION (2014-83) to adjourn was made by Council Member Siejak and seconded by Council Member Keough. The motion was CARRIED: AYES-5, NAYS-0. Voting AYE: Crocker, Siejak, Dufour, Keough and Smith.

The meeting ended at 7:46 p.m. The Lockport Town Board will next meet at 1:00 p.m. on Wednesday, March 19, 2014.

Respectfully submitted,

Judith A. Newbold
Deputy Town Clerk