

**UNAPPROVED**

September 10, 2014

A regular monthly meeting of the Lockport Town Board was conducted at 7:30 p.m. on Wednesday, September 10, 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: Nancy A. Brooks, Town Clerk; Michael J. Norris, Town Attorney; Larry Haseley, Town Historian and six residents.

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

**PUBLIC COMMENTS:**

Mr. Kevin Mietlicki of Old Niagara Road spoke on the issue of flooding in his yard due to improper drainage flows near his property. He requested Town Board action to assist in a remedy to flooding which occurs during large storms or when there is significant snow and ice melt.

Mr. Frank Housh, an attorney from Buffalo, spoke on the matter regarding the emergency evacuation of residents from the apartment building located at 6315 Robinson Road, which occurred earlier in the summer.

There being no one else to address the Town Board, the public comment section was closed and the regular business meeting was opened as follows:

**REGULAR BUSINESS MEETING:**

1. Approval of Minutes

**MOTION (2014-233):** to approve the minutes of Lockport Town Board meetings conducted on 08/04/2014, 08/06/2014 and 08/20/2014 was made by Council member Crocker and seconded by Council member Keough. The motion was CARRIED: AYES -5, NAYS-0. Voting AYE: Siejak, Crocker, Dufour, Keough and Smith.

2. Approval of Payment of Bills

**MOTION (2014-234):** to approve the payment of bills for the month of September was made by Council member Siejak and seconded by Council member Crocker. The motion was CARRIED: AYES-5, NAYS-0. Voting AYE: Siejak, Crocker, Dufour, Keough and Smith.

3. Communications

The Town Clerk read the names of two candidates for volunteer fire service. The candidates are:

Dalton Miller.....Rapids Fire Co.  
Melissa Poole.....Wright's Corners Fire Co.

**MOTION (2014-235):** to approve the above named candidates for volunteer fire service in the Town of Lockport was made by Council member Keough and seconded by Council member Dufour. The motion was CARRIED: AYES-5, NAYS-0. Voting AYE: Siejak, Crocker, Dufour, Keough and Smith.

4. Building Inspector's Report

Councilwoman Dufour read the Building Inspector's Report for the month of August 2014 which states that 58 building permits were issued; \$5,310.80 was collected in fees; and the estimated cost of construction was \$1,758,698.00.

5. Supervisor's Monthly Financial Report

**MOTION (2014-236)** to approve the Supervisor's Monthly Financial Report for the period ending 08/31/2014 was made by Council member Siejak and seconded by Council member Dufour. The motion was CARRIED: AYES-5, NAYS-0. Voting AYE: Siejak, Crocker, Dufour, Keough and Smith.

6. Resolution to Authorize Contract with Niagara Co. Youth Bureau

**MOTION (2014-237):** to authorize the Supervisor to enter an agreement with the Niagara County Youth Bureau to obtain 2014 NYS Recreation funding in the amount of \$3,744.00, was made by Council member Keough and seconded by Council member Dufour. The motion was CARRIED: AYES-5, NAYS-0. Voting AYE: Siejak, Crocker, Dufour, Keough and Smith.

7. Resolution to Authorize Change Order to Contract #14-3 (Tona. Creek TV & Flush)

**MOTION (2014-238):** to authorize Change Order #1 to Contract #14-3 (Tonawanda Creek Televising & Flushing) to allow the contractor, Sewer Specialty Services, to perform the flushing and cleaning of storm sewers in the Lockwood Drive area, in the amount of \$12,000.00 was made by Council member Crocker and seconded by Council member Dufour. The motion was CARRIED: AYES-5, NAYS-0. Voting AYE: Siejak, Crocker, Dufour, Keough and Smith.

8. Resolution to Authorize Contract with GAR Associates

**MOTION (2014-239):** to authorize the Supervisor to execute a contract with GAR Associates to perform additional assessment work on commercial properties for the years 2014 and 2015 at an amount of \$40,000.00 plus \$15,000 for residential assessments was made by Council member Siejak and seconded by Council member Dufour. The motion was CARRIED: AYES-5, NAYS-0. Voting AYE: Siejak, Crocker, Dufour, Keough and Smith.

9. Resolution to Authorize Preparation of Easements for Transit Road Waterline

**MOTION (2014-240):** to authorize the engineer to prepare easements for the Transit Road waterline replacement project, at a cost of \$8,000.00 was made by Council member Crocker and seconded by Council member Siejak. The motion was CARRIED: AYES - 5, NAYS-0. Voting AYE: Siejak, Crocker, Dufour, Keough and Smith.

10. Resolution to Authorize the Supervisor to list 6892 E. High Street with Realtor

**MOTION (2014-241):** On a motion by Council member Dufour and seconded by Council member Keough, the following resolution was duly ADOPTED: AYES-5, NAYS-0. Voting AYE: Siejak, Crocker, Dufour, Keough and Smith.

**TOWN OF LOCKPORT  
RESOLUTION**

**WHEREAS,** The Town of Lockport acquired ownership of premises located at 6892 East High Street in the Town of Lockport (SBL No. 124.05-2-20) by deed from the County of Niagara which was recorded in the County Clerk's Office on August 11, 2014; and

**WHEREAS**, before the Town took ownership, this property was subject to an in rem foreclosure action by the County and the house was declared unsafe by the Town; and

**WHEREAS**, the Town agreed to take ownership of said premises from the County and would cause the building to be demolished following taking possession with the desire to return said property back to the tax rolls; and

**WHEREAS**, the home has been demolished and removed from the premises by the Town, and

**WHEREAS**, the premises is located in the middle of a residential subdivision and is of no useful purpose and not needed for Town purposes, and

**WHEREAS**, the property was advertised for bid, only one bidder bid and the Town Board rejected said bid,

**NOW THEREFORE BE IT RESOLVED**, that the Town Board finds that this property is of no useful purpose and not needed for Town purposes; and be it further

**RESOLVED**, that the Senior Building Inspector is hereby directed to list said property for sale with Realty USA.

11. Resolution to Authorize Engineer to Prepare an RFP for Sewer Repairs

**MOTION (2014-242)**: to authorize the engineer to prepare an RFP for repairs to sanitary sewer lines in Districts#1& 2 (Carlisle Gardens and Lincoln Village areas) was made by Council member Keough and seconded by Council member Dufour. The motion was CARRIED: AYES-5, NAYS-0. Voting AYE: Siejak, Crocker, Dufour, Keough and Smith.

12. Resolution to Authorize Contract with Industrial Appraisal Company

**MOTION (2014-243)**: to authorize the Supervisor to execute a contract with Industrial Appraisal Company to conduct an update to the current Town of Lockport Appraisal at a cost of \$8,325.00 was made by Council member Crocker and seconded by Council member Dufour. The motion was CARRIED: AYES-5, NAYS-0. Voting AYE: Siejak, Crocker, Dufour, Keough and Smith.

13. Res. to Re-Appoint Robert Kirchgraber to the Board of Assessment Review

**MOTION (2014-244)**: to re-appoint Robert Kirchgraber to the Town of Lockport Board of Assessment Review was made by Council member Dufour and seconded by Council member Siejak. The motion was CARRIED: AYES-5, NAYS-0. Voting AYE: Siejak, Crocker, Dufour, Keough and Smith. Mr. Kirchgraber's term will expire 09/30/2019.

14. Resolution to Authorize Change Order #1 to Contract #161S

**MOTION (2014-245)**: to authorize Change Order #1 to Contract 161S (Lincoln Village Pump Station Rehabilitation) to allow the contractor, Yarussi Construction, to furnish and install a pig launcher assembly to clear lines in the IDA Pump Station, in an amount not to exceed \$9,500.00 was made by Council member Siejak and seconded by Council member Keough. The motion was CARRIED: AYES-5, NAYS-0. Voting AYE: Siejak, Crocker, Dufour, Keough and Smith.

15. Town Board Comments

*Councilman Keough* reported that construction of the pedestrian bridge over Donner Creek, along Robinson Road, will begin September 17, 2014 and run through Thanksgiving time.

Additionally, he reported that the water line replacement on Shimer Drive has been completed, the new lines are currently being chlorinated, disinfected and pressure tested. Once this is complete, the permanent hook up for residents will take place.

*Councilman Siejak* stated that the town-wide brush pickup will take place on Monday, September 15, 2014.

He also reported that the Niagara County Health Dept. will conduct a Free Rabies Clinic at the Lockport Town Highway Garage on Saturday, September 20, 2014 from 2:00-4:00 p.m. All dogs, cats and domestic ferrets will be inoculated.

Lastly, he reminded residents that the school year has begun and urged everyone to use caution while driving especially in school-zones.

*Councilwoman Dufour* reminded everyone that September 11<sup>th</sup> is Patriot's Day and asked that residents fly their American flags at half-mast in remembrance of those who were lost on September 11, 2001. She stated that the nation has been asked for a moment of silence at 8:46 a.m. and once again at 10:28 a.m. She urged all to observe the memorial.

*Councilman Crocker* reported that the results of the town-wide survey which has been ongoing are now being tallied and will be made public when they are complete. He said that he was very pleased and thanked residents for the tremendous response.

#### 16. Supervisor's Comments

The Supervisor reported several meeting dates relative to the Town's proposed Master Plan update. The dates are as follows:

September 17, 2014 at 6:30 p.m. – A formal Public Hearing will then be followed by an informal one-on-one question and answer period.

October 6, 2014 - Final version of plan available to Town Board and uploaded onto Town website.

October 8, 2014 at 7:30 p.m. – Town Board meeting. Will call for all SEQRA resolutions required for adoption of the proposed plan as well as call for another Public Hearing to be conducted.

November 5, 2014 at 7:30 p.m. Last formal Public Hearing before final adoption is voted on.

He also asked that residents be mindful that school has started and to take caution and not pass school buses which have stopped to pickup or discharge students; even if it is a four lane highway.

#### 17. Adjournment

**MOTION (2014-246):** to adjourn was made by Council member Siejak and seconded by Council member Keough. The motion was CARRIED: AYES-5, NAYS-0. Voting AYE: Siejak, Crocker, Dufour, Keough and Smith.

The meeting ended at 7:52 p.m. The Lockport Town Board will next meet at 1:00 p.m. on September 17, 2014.

Respectfully submitted,

Nancy A. Brooks, RMC, MMC  
Lockport Town Clerk