

May 20, 2015

A regularly scheduled work session of the Lockport Town Board was conducted at 1:00 p.m. on, Wednesday, May 20, 2015, at the Town Hall, 6560 Dysinger Road, Lockport, New York.

Present were: Supervisor: Marc R. Smith

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

Also present: Nancy A. Brooks, Town Clerk; Michael J. Norris, Town Attorney; Robert Klavoon of Wendel Engineering and local media representatives.

Supervisor Smith opened the meeting as follows:

1. **Town Clerk** – nothing to report.

2. **Town Attorney** – Mr. Norris brought forth that David Miller, Town Highway Superintendent, was requesting authorization to purchase a cold planer attachment for small milling projects. According to Town policy, three quotations were obtained and reviewed by both David Miller and Mr. Norris. After reviewing the quotes obtained, Mr. Norris recommended that the award be given to Bobcat of Buffalo, the low quote in the amount of \$12,008.00. He noted that this was within the Highway budget and that it was a much needed piece of equipment as the paving season was beginning soon.

MOTION (2015-154): to authorize the purchase of a cold planer attachment for paving projects from Bobcat of Buffalo, in the amount of \$12,008.00, 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.

3. **Engineer**

Mr. Klavoon reported that a pre-construction meeting for the Transit Road water line replacement was to take place later in the day. He stated that traffic signs have been posted, message boards have been posted and emails will start going out to residents to keep them abreast of construction activity.

Supervisor Smith requested that Mr. Klavoon has Dan Dodge, Director of Operations, contact the Krupski's, owners of the new brewery being built on Transit Road, to see that lift station located near their new business is screened. Supervisor Smith suggested that a 6' tall full fence or something that will completely shield the station on each side.

Mr. Klavoon also stated that at the next work session he will provide a copy of the required New York State MS4 Storm Water Report for Town Board review. He explained that the Town is not currently in the MS4 program but is mandated to be in the program by August 2016.

Councilwoman Dufour also suggested that Mr. Klavoon notify the Transit Road water line contractor of the Viet Nam Memorial "Rolling Thunder" event in which it is expected that over 500 motorcycles will accompany the wall down Transit Road on June 10th.

4. **Town Board Comments/Reports**

Councilman Crocker reported that a bus shuttle has been secured for transporting visitors for the Viet Nam Memorial Wall event. Buses will be available every 15 minutes during peek viewing times over those four days. Grand Island Transit will have buses transporting people from the Big Lots Plaza.. Additionally, there will be parking at the Town Hall and the Carpenter's Building.

(Continued next page)

Councilwoman Dufour delivered a report from the Town Assessor stating that there are 43 formal assessment grievance meetings scheduled by the Town Assessor and that she conducted 120 informal sessions. Additionally, GAR Associates conducted 103 commercial parcel grievance sessions.

Day Road Park – thirty new trees have been purchased and planted as part of the Day Road Park Memorial Tree Program.

Lastly, she reported that with Town Board approval, a lacrosse league has requested use of the Town's practice soccer fields. She also stated that the Town Recreation Committee has requested that the public respect the posted schedules for the soccer fields.

Councilman Siejak provided the Town Board with a progress update on Viet Nam Memorial Wall event. He feels confident that the event is "coming together" with all the hard work from the Town Board and with all the support that the local businesses and civic organizations have provided. He also reported that individual bikers, not associated with biking groups but who would like to accompany the wall, can assemble at the Town Hall at 8:00 a.m. and he will meet them and they can proceed as a group to the Chapel where they will meet up with other bikers for the escort into the Town of Lockport.

5. Supervisor's Comments/Reports

NYS E-Recycling Law - Supervisor Smith stated he has a copy of the Niagara County Legislature's Resolution in Support of an Amendment to the NYS Electronic Recycling Law. The County is seeking town support of this amendment which requests changes to the mandates placed on local municipalities with regard to electronic waste. This item will be placed on the agenda for the June 3, 2015 Town Board meeting.

ZBA Conflict of Interest - the Supervisor requested that the Town Board hire a special counsel to represent the Town in a case currently before the ZBA, in which Mr. Norris has a conflict of interest. Councilwoman Dufour recused herself from the matter stating she also had a conflict of interest in this matter.

MOTION (2015-155): to hire special counsel, Cory A. Auerbach, to represent the Town in a matter before the Town Zoning Board of Appeals, in which Mr. Norris has declared a conflict of interest, was made by Council member Keough and seconded by Council member Crocker. The motion was CARRIED: AYES-4, NAYS-0, ABSTAIN - 1. Voting AYE: Crocker, Siejak, Keough and Smith. ABSTAINING: Dufour.

6. Executive Session Entered

MOTION (2015-156): to enter Executive Session for the purpose of consulting with the Town Attorney was made by Council member Crocker and seconded by Council member Keough. The motion was CARRIED: AYES-5, NAYS-0. Voting AYE: Crocker, Siejak, Dufour, Keough and Smith.

The Town Board entered Executive Session at 1:20 p.m.

7. Executive Session Ended and Work Session Reconvened

MOTION (2015-157): to exit Executive Session and to reconvene the work session 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.

The work session was reconvened at 2:17 p.m. with no Town Board action during Executive Session.

(Continued next page)

8. Motion to Rescind Resolution Calling For Public Hearings

MOTION (2015-158): to rescind Resolution #2015-138 calling for Public Hearings on the 2015 Town Fire Contracts was made by Council member Crocker and seconded by Council member Keough. The motion was CARRIED: AYES-5, NAYS-0. Voting AYE: Crocker, Siejak, Dufour, Keough and Smith.

9. Adjournment

MOTION (2015-159): to adjourn 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.

Respectfully submitted,

Nancy A. Brooks, RMC, MMC
Lockport Town Clerk