

August 5, 2015

The regular business meeting of the Lockport Town Board was conducted at 7:30 p.m. on Wednesday, August 5, 2015, at the Town Hall, 6560 Dysinger Road, Lockport, New York.

Present were: Deputy Supervisor: Mark C. Crocker

Council Members: Patricia Dufour
Thomas J. Keough

Absent: Supervisor, Marc R. Smith
Councilman, Paul Siejak

Also present: Nancy A. Brooks, Town Clerk; Michael J. Norris, Town Attorney;
Deputy Town Clerk, Judith Newbold; and Town Historian, Larry Haseley

Following the Pledge of Allegiance, Deputy Supervisor, Mark Crocker, opened the meeting as follows:

Public Comments: No one spoke and the regular business meeting was opened.

BUSINESS MEETING:

1. Approval of Minutes

MOTION (2015-205): to approve the minutes of Town Board meetings on 07/06/2015, 07/08/2015, and 07/22/2015, was made by Council member Dufour and seconded by Council member Keough. The motion was CARRIED: AYES-3, NAYS-0. Voting AYE: Crocker, Dufour, and Keough.

2. Approval of Payment of Bills

MOTION (2015-206): to approve payment of the bills for the month of August was made by Council member Keough and seconded by Council member Dufour. The motion was CARRIED: AYES-3, NAYS-0. Voting AYE: Crocker, Dufour and Keough.

The bills for August consist of Vouchers # 34457 – 34667 in the amount of \$1,585,778.37.

3. Communications

The Town Clerk informed residents of the upcoming Rapids Day Event to be held on Saturday, August 29, 2015, at the Rapids Fire Hall on Plank Road. The event will include a parade starting at 11:00 a.m., followed by a brief ceremony to re-dedicate the Rapids Owl Landmark which will be erected at the corner of Rapids and Plank Roads later this summer, as well as food, games, a basket raffle, and a talent show to be held at the Rapids Bible Church at 2:00 p.m. She encouraged residents to come out for some fun and to meet some of their neighbors.

Additionally, she read the name of a candidate for volunteer fire service in the Town who was approved by the Town Fire Prevention Bureau. The candidate's name is Tyler William Smith for Rapids Fire Co.

MOTION (2015-207): to approve the above-named individual 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-3, NAYS-0. Voting AYE: Crocker, Dufour and Keough.

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4. Building Inspector's Report

Councilwoman Dufour read the report covering the month of July 2015 which states that 50 building permits were issued in July; the total amount of fees collected was \$4,434.00; and the estimated cost of construction was \$843,994.00.

MOTION (2015-208): to approve the Building Inspector's Report as submitted was made by Council member Dufour and seconded by Council member Keough. The motion was CARRIED: AYES-3, NAYS-0. Voting AYE: Crocker, Dufour and Keough.

5. Supervisor's Monthly Financial Report

Earlier in the week, the Supervisor's Monthly Financial Report for the period covering July 1 – July 31, 2015 was submitted to Town Board members for review. The Deputy Supervisor asked for approval of the report.

MOTION (2015-209): to accept the Supervisor's Monthly Financial Report for July 2015 as submitted was made by Council member Dufour and seconded by Council member Keough. The motion was CARRIED: AYES-3, NAYS-0. Voting AYE: Crocker, Dufour and Keough.

6. Resolution Authorizing Contracts with NYSEG

MOTION (2015-210): to authorize the Supervisor to execute contracts with NYSEG to provide natural gas connections to the sewer lift stations at the I.D.A. Park, the Niagara County Jail, and Keck Road, was made by Council member Dufour and seconded by Council member Keough. The motion was CARRIED: AYES-3, NAYS-0. Voting AYE: Crocker, Dufour and Keough.

7. Res. Calling for Public Hearing on the Annexation Petition filed July 21, 2015

MOTION (2015-211): on a motion by Council member Keough and seconded by Council member Dufour, the following resolution was duly ADOPTED: AYES-3, NAYS-0. Voting AYE: Crocker, Dufour and Keough.

**TOWN OF LOCKPORT
RESOLUTION**

WHEREAS, the Town Clerk received a Petition on July 21, 2015 from the County of Niagara, New York and R.B. Mac Properties LLC petitioning the Common Council of the City of Lockport and the Town Board of the Town of Lockport for annexation of territory on Davison Road, as more fully described by Legal Description attached hereto at Exhibit "A", from the City of Lockport to the Town of Lockport; and

WHEREAS, pursuant to General Municipal Law Article 17, the governing boards of the affected municipalities shall hold a joint hearing upon said petition within specific periods of time; now therefore be it

RESOLVED, that a joint hearing shall be held on said Petition by the Common Council of the City of Lockport and the Town Board of the Town of Lockport on Wednesday, September 2, 2015, at 6:00 p.m. in the evening at the City of Lockport Municipal Building, One Locks Plaza, Lockport, NY 14094; and be it further

RESOLVED, that the Town Clerk, in conjunction with the Town Attorney, prepare said public notice and cause it to be published in the Union Sun & Journal, posted at Town Hall, posted on the Town's Web site, and mailed to the Clerks of the Niagara County Legislature and Lockport City School District Board of Education at least twenty days prior to said public hearing.

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8. Authorization to Execute Contracts with Becker Farms

MOTION (2015-212): to authorize the Supervisor to execute contracts with Becker Farms to provide discount passes to Town residents for hayrides and for admissions to their “Pumpkin Fiesta” was made by Council member Keough and seconded by Council member Dufour. The motion was CARRIED: AYES-3, NAYS-0. Voting AYE: Crocker, Dufour and Keough.

9. Town Board Comments/Reports

Councilman Keough reported that the Town’s annual Community Day held on July 19th was very successful and on behalf of himself and the Town Board, he thanked the Town Recreation Committee for their hard work and dedication for hosting the event.

He also reported that the Niagara County Fair is underway and will be open through Sunday, August 9th.

Lastly, he also encouraged attendance at the Rapids Day event and thanked Mr. Tom Prohaska for the fine article regarding the Rapids Owl landmark which was published in the Buffalo News on Sunday, August 2, 2015.

Councilwoman Dufour announced the upcoming activities to be held at Day Road Park which include the following:

Arts & Crafts Program – for children ages 9 -13 to be held on Thursdays, August 6 – 20th. Interested persons can sign up at the Town Clerk’s office.

Movie Night – the second summer “Movie Night” will be held on Friday, August 7th. The Greater Niagara Band will perform at 7:00 p.m. and at dusk, the movie, “Planes: Fire and Rescue” will be shown.

Zumba in the Park – classes will be held from 6:00 – 7:00 in the evenings on Tuesdays and Thursdays through out August.

Memorial Tree Program – the Councilwoman announced that the tree program is closed for this year but residents can call the Town Clerk’s office and leave their name and contact number for the spring 2016 planting season.

Lastly, she also thanked Mr. Prohaska for the lovely article on the Rapids Owl that was published, stating that the Owl is a very historical part of history of the Rapids and about “Uncle Joe Edwards” who was an important resident of the Rapids in the 1800’s and early 1900’s. The 8’ tall metal owl, was a landmark erected in 1937 in his memory by Rapids Fire Co. and stood in the Rapids for over 60 years until it vanished sometime in the 1990’s. Once it was recovered, the Rapids Fire Co. Exempt Organization had it restored by the current Town of Lockport Highway Superintendent, David Miller, and his wife Ginny. It is now the desire of the Rapids Owl Landmark Restoration Committee to have the owl re-dedicated and erected on Rapids Road directly across from its original “perch” on Sunday, August 29, 2015. She encouraged everyone to attend the event and to give support to a part of Town history.

10. Deputy Supervisor's Comments/Reports

Deputy Supervisor Crocker reported that the Town will host a hazardous waste collection, sponsored by State Senator, Robert Ort and the Niagara County Refuse Disposal District, to be held on Saturday, August 15, 2015, from 10:00 – 2:00 p.m. Residents can drop off household chemicals and pharmaceutical wastes but must make an appointment by going online at www.RETHINKYOURWASTE.com or phoning 716-439-7250. Also included with the services provided, will be paper shredding. Residents can bring documents to be shredded without appointment. Items brought for shredding will be shredded on sight.

Mr. Crocker thanked everyone for attending and called for a motion to adjourn.

11. Adjournment

MOTION (2015-13): to adjourn was made by Council member Keough and seconded by Council member Dufour. The motion was CARRIED: AYES-3, NAYS-0. Voting AYE: Crocker, Dufour and Keough.

The meeting was ended at 7:43. p.m. The Lockport Town Board will next meet at 1:00 p.m. on Wednesday, August 19, 2015.

Respectfully submitted,

Nancy A. Brooks, RMC, MMC
Lockport Town Clerk

EXHIBIT "A"

LEGAL DESCRIPTION

ALL THAT TRACT OR PARCEL OF LAND, presently situate in the City of Lockport, County of Niagara, State of New York, and being part of Lot 1, Section 14, and Lot 2, Section 14, Township 14, Range 6 of the Holland Land Company Survey (so-called), bounded and described as follows:

BEGINNING at a point on the centerline of Davison Road at its intersection with the westerly extension of the south line of lands depicted in Microfilm map Book 40, Page 3988 as filed in the Niagara County Clerk's Office on October 14, 1959; thence, southerly along the centerline of Davison Road, 1,997.95 feet to a point; thence, northeasterly along a line making an interior angle of $71^{\circ} 09' 45''$ with the last described boundary to a point on the division line between said Lot 2, Section 14 and Lot 12, Section 10 (such line extended northerly also being the division line between said Lot 1, Section 15 and Lot 11, Section 11, and said division line also being a portion of the current division line between the City of Lockport and the Town of Lockport); thence northerly along said division line to a point on the said southerly line of the lands depicted in said Microfilm Map, Book 40, Page 3988; thence westerly along said southerly line and such line extended westerly to the point or place of beginning.