

October 7, 2015

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

Present were: Supervisor: Marc R. Smith

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; David Miller, Town Highway Superintendent; Larry Haseley, Town Historian and approximately 15 residents.

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

PRESENTATION: The presentation by the Niagara Military Affairs Council was cancelled and will be re-scheduled.

PUBLIC COMMENTS: No one spoke before the Town Board and Supervisor Smith opened the regular business meeting as follows:

1. Approval of Minutes

MOTION (2015-262): to approve the minutes of Town Board meetings conducted on 08/31/2015, 09/02/2015, 09/16/2015, 09/21/2015 and 09/28/2015 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 (2015-263): to approve the payment of bills for the month of October 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.

Bills for the month of October consists of Vouchers # 34872 - # 35102 in the amount of \$1,683,094.68.

3. Communications

The Town Clerk read a list of candidates for volunteer fire service from the Town of Lockport Fire Prevention Bureau. The candidates' names are as below:

Benjamin A. Miller.....Rapids Fire Co.
Roger D. Jones.....Rapids Fire Co.

MOTION (2015-264): to approve the above-named individuals 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: Crocker, Siejak, Dufour, Keough and Smith.

The Town Clerk also reminded residents that October is Breast Cancer Awareness Month and asked women of all ages to practice self breast examination, have routine mammograms and to visit their doctors regularly as early detection saves lives.

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4. Building Inspector's Report

Councilwoman Dufour read the Building Inspector's report for the month of October which states that 46 building permits were issued in September; \$8,094.00 was collected in fees; and the estimated cost of construction was \$1,962,324.00.

MOTION (2015-265): to approve the Building Inspector's report for October 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 (2015-266): to approve the Supervisor's Monthly Financial Report for the period ending September 30, 2015 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.

6. Auth. to Notify Niagara Co. Real Property of Unpaid Sewer, Water & Refuse

MOTION (2015-267): to authorize the Supervisor to notify the office of Niagara County Real Property Services of unpaid sewer, water and refuse payments and to have Real Property add those amounts to the 2016 Niagara County Tax Roll 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.

7. Call for Public Hearing on 2016 Preliminary Town Budget

MOTION (2015-268): to call for a Public Hearing on the 2016 Preliminary Town Budget to be held at 7:30 p.m. on Wednesday, November 4, 2015 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.

8. Call for Public Hearing on 2016 Special Districts Tax Roll

MOTION (2015-269): to call for a Public Hearing on the 2016 Special Districts Tax Roll to be held at 7:30 p.m. on Wednesday, November 4, 2015 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.

9. Call for Public Hearing on 2016 Sewer Tax Roll

MOTION (2015-270): to call for a Public Hearing on the 2016 Sewer Tax Roll to be held at 7:30 p.m. on Wednesday, November 4, 2015 was made by Council member Siejak and seconded by Council member Crocker. The motion was CARRIED: AYES-5, NAYS-0. Voting AYE: Crocker, Siejak, Dufour, Keough and Smith.

10. Call for Public Hearing on 2016 Water Tax Roll

MOTION (2015-271): to call for a Public Hearing on the 2016 Water Tax Roll to be held at 7:30 p.m. on Wednesday, November 4, 2015 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.

11. Call for Public Hearing on Town Fire Contracts

MOTION (2015-272): to call for a Public Hearing on the Town Fire Contracts to be held at 7:30 p.m. on Wednesday, p; November 4, 2015 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.

12. Adopt Revised Town Fee Schedule – Effective January 1, 2016

MOTION (2015-273): to adopt the revisions to the Town of Lockport Fee Schedule, which will become effective on January 1, 2016, was made by Council member Keough and seconded by Council member Crocker. The motion was CARRIED: AYES-5, NAYS-0. Voting AYE: Crocker, Siejak, Dufour, Keough and Smith.

13. Authorize Wetland Delineations for Phase 1A of the Capital Water Improvement

MOTION (2015-274): on a motion by Council member Dufour and seconded by Council member Crocker, the following resolution was duly ADOPTED: AYES-5, NAYS-0. Voting AYE: Crocker, Siejak, Dufour, Keough and Smith.

TOWN OF LOCKPORT
RESOLUTION

AUTHORIZE WETLAND DELINEATIONS FOR PHASE 1A WATERLINE PROJECT

WHEREAS, the Town of Lockport is preparing to construct waterline improvements at various locations in the Town of Lockport, and

WHEREAS, Wendel has received proposals from two (2) consultants to perform a wetland delineation survey and compile information into a final wetland delineation report for the proposed project, and

WHEREAS, Wendel has reviewed the proposals and recommends that Earth Dimensions, Inc. be awarded the project, and

WHEREAS, the fee for this work is determined on a lump sum basis and is estimated to be \$4,750.00.

NOW THEREFORE BE IT RESOLVED, that the Lockport Town Board accepts the proposal from Earth Dimensions, Inc. and authorizes the Supervisor to sign the proposal dated September 18, 2015 for spending not to exceed \$4,750.

14. Resolution Authorizing Soil Bores for Phase 1A of Water Capital Improvement

MOTION (2015-275): on a motion by Council member Siejak and seconded by Council member Keough, the following resolution was duly ADOPTED: AYES-5, NAYS-0. Voting AYE: Crocker, Siejak, Dufour, Keough and Smith.

**TOWN OF LOCKPORT
RESOLUTION**

AUTHORIZE SOIL BORES FOR PHASE 1A WATERLINE PROJECT

WHEREAS, the Town of Lockport is preparing to construct waterline improvements and as part of the detailed design work, soil bores are required at various locations along the proposed waterline alignment, and

WHEREAS, Wendel has solicited proposals from three (3) consultants to perform test borings and complete a soil investigation report for the proposed project, and

WHEREAS, only two (2) responses from a qualified consultants were received, and

WHEREAS, Wendel has reviewed the proposals and recommends that SJB Services, Inc of Hamburg, NY be awarded the project, and

WHEREAS, the fee for this work is determined on a unit price basis and is estimated to be \$12,835.00.

NOW THEREFORE BE IT RESOLVED, that the Lockport Town Board accepts the proposal from SJB Services, Inc. and authorizes the Supervisor to sign the proposal dated September 16, 2015, and

BE IT FURTHER RESOLVED, that the spending not to exceed \$13,200.

15. Authorization for Change Order #1 – Contract No. 163S-G

MOTION (2015-276): on a motion by Council member Dufour and seconded by Council member Siejak, the following resolution was duly ADOPTED: AYES-5, NAYS-0. Voting AYE: Crocker, Siejak, Dufour, Keough and Smith.

**TOWN OF LOCKPORT
RESOLUTION**

AUTHORIZE CHANGE ORDER #1 CONTRACT NO. 163S-G

WHEREAS, the Town of Lockport awarded a bid to Mar-Wal Construction Company, Inc. by way of Contract No. 163S-G, for the IDA, Keck Road & Niagara County Jail Pump Station Rehabilitation project, and

WHEREAS, the Contractor needs an extension of time to complete their work as a result of shipping delays of equipment,

NOW THEREFORE BE IT RESOLVED, that the Town of Lockport Town Board authorizes Change Order No. 1 that changes the contract completion dates as follows:

- Substantial Completion: December 15, 2015
- All Work Complete: May 2, 2016

16. Authorization for Change Order #1 – Contract No. 163S-E

MOTION (2015-277): on a motion by Council member Siejak and seconded by Council member Keough, the following resolution was duly ADOPTED: AYES-5, NAYS-0. Voting AYE: Crocker, Siejak, Dufour, Keough and Smith.

**TOWN OF LOCKPORT
RESOLUTION**

AUTHORIZE CHANGE ORDER #1 CONTRACT NO. 163S-E

WHEREAS, the Town of Lockport awarded a bid to CIR Electrical Construction Corporation, by way of Contract No. 163S-E, for the IDA, Keck Road & Niagara County Jail Pump Station Rehabilitation project, and

WHEREAS, the Contractor needs an extension of time to complete their work as a result of delays by the Contractor for Contract 163S-G,

NOW THEREFORE BE IT RESOLVED, that the Town of Lockport Town Board authorizes Change Order No. 1 that changes the contract completion dates as follows:

- Substantial Completion: December 15, 2015
- All Work Complete: May 2, 2016

17. Res. to Seek Requests for Proposals for Acoustic Tiles for Town Court Building

MOTION (2015-278): 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: Crocker, Siejak, Dufour, Keough and Smith.

**TOWN OF LOCKPORT
RESOLUTION**

**AUTHORIZE REQUEST FOR PROPOSALS TO FURNISH & INSTALL
ACOUSTIC TILES IN LOBBY AND COURTROOM OF THE TOWN COURT**

WHEREAS, the Town of Lockport has authorized Wendel, the Town's Engineers to prepare a request to furnish and install acoustic tiles in the lobby and courtroom of the Town Court, and

WHEREAS, Wendel has completed the necessary plans and specifications,

NOW THEREFORE BE IT RESOLVED, that the Lockport Town Board authorizes that the request for proposals be available as follows:

- Request for Proposals Available: Thursday, October 8, 2015
- Written Proposals Due: Monday, November 2, 2015 at 1:00 PM

18. Res. to Seek Bids for Utility Surface Restoration Contract No. 16-1

MOTION (2015-279): on a motion by Council member Crocker and seconded by Council member Keough, the following resolution was duly ADOPTED: AYES-5, NAYS-0. Voting AYE: Crocker, Siejak, Dufour, Keough and Smith.

**TOWN OF LOCKPORT
RESOLUTION**

ADVERTISE BIDS FOR UTILITY SURFACE RESTORATION CONTRACT NO. 16-1

WHEREAS, the Town of Lockport has authorized Wendel, the Town's Engineers to complete the plans and specifications for furnishing all labor, equipment and materials necessary to complete final surface restoration following utility work at various locations within the Town of Lockport over a period of 12 months, and

WHEREAS, Wendel has completed the plans and specifications and has obtained all necessary regulatory approvals,

NOW THEREFORE BE IT RESOLVED, that the Lockport Town Board authorizes the Town Clerk to advertise for said bids as follows:

- Books Available: Monday, October 12, 2015
- Bid Opening: Thursday, October 29, 2015 at 10:00 AM.

19. Resolution to Authorize Town Court to Submit Grant Application

MOTION (2015-280): on a motion by Council member Dufour and seconded by Council member Crocker, the following resolution was duly ADOPTED: AYES-5, NAYS-0. Voting AYE: Crocker, Siejak, Dufour, Keough and Smith.

**TOWN OF LOCKPORT
RESOLUTION**

WHEREAS, pursuant to L.1999.280, the Justice Court Assistance Program has been established, and

WHEREAS, the Town of Lockport wishes to apply to the Justice Court Assistance Program for a grant of state funds to assist in the operation of its Town Court,

NOW, THEREFORE, BE IT RESOLVED that the submittal of a Justice Court Assistance grant application be and hereby is authorized for the procurement of funds for the Town of Lockport Justice Court, and the Justices of the Town of Lockport are hereby authorized to submit said application.

20. Authorization to Execute Contract with Lakeview Animal Sanctuary (parent firm - TC Entertainment 4U)

MOTION (2015-281): 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.

21. Authorization to Purchase two Truck Accessory Packages for Sewer & Water

MOTION (2015-282): to authorize the purchase of two (2) truck accessory packages from S & S Trailer & Truck Equipment who submitted the low price of \$7,812.00 each 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.

22. Town Board Comments/Reports

Councilman Crocker thanked both the Participant in Government students and residents alike for attending the meeting and hoped that they would feel free to talk with Town officials after the meeting was ended.

He also gave a brief update on the Town's electronic recycling shed stating that there has been a tremendous turnout for each of the scheduled recycling dates. He reported that on each date approximately 7,000 lbs of recycled electronics has been collected. HE thanked residents for their participation in the program and for observing the scheduled dates and times for electronics disposal.

Lastly, he stated it was a wonderful summer and wished everyone a safe fall.

Councilwoman Dufour also thanked everyone for attending and welcomed Mr. Michael Miller, a new reporter for the Lockport Star. "The Councilwoman reported on the following upcoming events:

NIOGA Library Computer Class (Computer Basics) will be held from 1:00-4:00 on Nov. 12th at the Town Hall. Registration can be done by phoning the library at 433-5935.

Fall Festival will be held from 1:00 – 3:00 on Sunday, October 18, 2015 at the Town Hall There will be refreshments, pumpkin painting, hay rides and a bounce house for kids to enjoy.

Winter Fest will be held on November 29, 2015 at Day Road Park.

Councilman Siejak reported that the last brush pickup for the year will be conducted the week of October 19th. Brush must be at the curb by 7:00 a.m.

He also reminded residents that hunting season is starting and that it is illegal to hunt within any of the Town parks.

Councilman Keough reminded residents that the "Viet Nam Veterans Album" is on display at the Kenan Center until October 11, 2015. It is a collection of pictures and memorabilia denoting the atmosphere and conditions existing for members of the military who served in this war. He encouraged all to see it.

He also reported that he was sorry that the NIMAC representatives could not attend this meeting. He is a member of this organization which has worked diligently to keep the Niagara Falls Air Base open and has contributed greatly to the economic impact which the air base generates for Western New York. He hopes that NIMAC will re-schedule their presentation for sometime in the near future.

23. Supervisor's Comments/Reports

Supervisor Smith had no reports.

24. Adjournment

MOTION (2015-283): to adjourn was made by Council member Siejak and seconded by Council member Dufour. The motion was CARRIED: AYES-5, NAYS-0. Voting AYE: Crocker, Siejak, Dufour, Keough and Smith.

PAGE 8 – Continuation of Minutes of Lockport Town Board meeting conducted on 10/07/2015.

The Meeting was ended at 7:50 p.m. The Lockport Town Board will next meet at 1:00 p.m. on Wednesday, October 21, 2015.

Respectfully submitted,

Nancy A. Brooks, RMC, MMC
Lockport Town Clerk