

April 20, 2016

A regularly scheduled work session of the Lockport Town Board was conducted at 1:00 p.m. on Wednesday, April 20, 2016 at the Town Hall, 6560 Dysinger Road, Lockport, New York.

Present were:

Supervisor: Mark C. Crocker

Town Council Members: Paul W. Siejak
Patricia Dufour
Thomas J. Keough
Darlene DiCarlo

Also present: Brian Belson, Building Inspector, Michael Norris, Town Attorney, Robert Klavoon of Wendel Engineering and Judith Newbold, Deputy Town Clerk.

Supervisor Crocker introduced Brian Belson, Building Inspector who gave an extensive overview of the Town of Lockport Fireman's Service Awards Program which was set up in 1993 and is based on points awarded for training, attendance at drills, meetings and calls, officer participation and other military and non-emergency related service. It was set up as a retirement fund to thank the retirees for their years of service and awards monies to the participants at 65 years of age. The council discussed the program at length including amounts currently budgeted as well as assets housed in multiple accounts with outside investment companies. The council discussed where the Town stands financially and decided they will address the budgeting portion again at the budget session later in the year. A copy of the awards program can be obtained at the Town Clerk's office.

After some questions from the council, Supervisor Crocker continued the meeting as follows:

1. Deputy Clerk – shared correspondence from Rezzonator Services, notifying the board of the renewal of the on-premises liquor license for Steak, Stone & Sushi, LLC.

MOTION (2016-103) was made by Councilmember Dufour, seconded by Councilmember Siejak for approval of notification of the renewal of the On-premises Liquor License for Steak, Stone & Sushi, LLC. The following resolution was duly ADOPTED: AYES-5, NAYS-0. Voting AYE: Crocker, Siejak, Dufour, Keough and DiCarlo.

2. Attorney –

Greater Niagara Musicians - Mike Norris reported the Recreation Commission has requested the town discontinue the contract with Greater Niagara Musicians for this year.

MOTION (2016-104) was made by Councilmember DiCarlo, seconded by Councilmember Keough to discontinue the contract with Greater Niagara Musicians Association 97-106 AF of M but to consider them for future performances. The motion was APPROVED. AYES-5, NAYS-0. Voting AYE: Crocker, Siejak, Dufour, Keough and DiCarlo.

The Attorney advised a letter be sent to verify the change as soon as possible.

CSEA Contract - The Attorney circulated a copy of the current Collective Bargaining Agreement between the Town of Lockport and the Town of Lockport Unit #7655, Niagara County Local 832, The Civil Service Employees Association, Inc., Local 1000 AFSCME and the AFL-CIO dated January 1, 2012 through December 31, 2016 with bolded modifications. These modifications together with the aforementioned collective bargaining agreement shall form the successor agreement whose term

shall be effective January 1, 2017 through December 31, 2020. He explained there were several minor changes but the major change would be to the hourly rate at fifty (.50) cents per hour for 2017, fifty-five cents (.55) cents per hour for 2018, sixty cents (.60) cents per hour for 2019, and sixty cents (.60) cents per hour for 2020. The council thanked everyone for their hard work on the negotiations and the fair and equitable changes made to the existing contract.

MOTION (2016-105) was made by Councilmember Dufour, seconded by Councilmember Siejak to approve the collective bargaining agreement between the Town of Lockport and the Town of Lockport Unit #7655, Niagara County Local 832, The Civil Service Employees Association, Inc., Local 1000 AFSCME and the AFL-CIO whose term shall be effective January 1, 2017 through December 31, 2020 and authorize the Town Supervisor to execute the same. The motion was APPROVED. AYES–5, NAYS–0. Voting AYE: Crocker, Siejak, Dufour, Keough and DiCarlo.

Non-Commercial Wind Energy Law – Attorney Norris then distributed copies of the tentative Local Law that he drafted after working with Drew Reilly, Town Planner entitled "Adding Noncommercial Wind Energy Conversion Systems Article to the Code of the Town of Lockport". He read several excerpts from the law, reviewing all pages and answering questions from the council. He reminded all that this would not include commercial wind energy systems and explained possible exceptions for farmers and those individuals that may fall under the NYS Agricultural and Markets guidelines may be waived by the Planning Board. All applicants for Non-Commercial systems would have to apply through the Town Planning Board for a special permit, site plan and SEQRA review and applications would include notifications to various State and Federal agencies.

The proposed the local law "Adding Noncommercial Wind Energy Conversion Systems Article to the Code of the Town of Lockport" was introduced by Councilmember Keough.

MOTION (2016-106) to start the process of considering this zoning addition, in accordance with Article 8 (State Environmental Quality Review Act – SEQRA) of the Environmental Conservation Law, the Lockport Town Board would like to establish itself as SEQRA Lead Agency and to call for a public hearing was made by Councilmember Keough, seconded by Councilmember Siejak. The motion was APPROVED. AYES–5, NAYS–0. Voting AYE: Crocker, Siejak, Dufour, Keough and DiCarlo.

Town of Lockport Resolution

Whereas, the Code of the Town of Lockport contains and specifies the local laws, and ordinances of the Town of Lockport; and

Whereas, a proposed Local Law entitled "Adding Noncommercial Wind Energy Conversion Systems Article to the Code of the Town of Lockport" has been introduced; and

Whereas, the Town would like to start the process of considering this zoning addition, in accordance with Article 8 (State Environmental Quality Review Act – SEQRA) of the Environmental Conservation Law, the Lockport Town Board would like to establish itself as SEQRA Lead Agency; and

Whereas, the Town would like to refer this proposed code revision to Niagara County Planning Board in accordance with General Municipal Law Section 239-m and to the neighboring municipalities under General Municipal Law Section 239-nn;

NOW, THEREFORE, BE IT

RESOLVED, that the Lockport Town Board authorizes the completion of a coordinated SEQRA process; and be it further

RESOLVED, the Lockport Town Board authorizes the completion of the General Municipal Law Section 239-m referral to the Niagara County Planning Board and General Municipal Law Section 239-nn referral to the neighboring municipalities; and be it further

RESOLVED, that the Lockport Town Board does hereby call for a public hearing to be held on a proposed local law entitled "Adding Noncommercial Wind Energy Conversion Systems Article to the Code of the Town of Lockport" at the Lockport Town Hall, 6560 Dysinger Road, Lockport, NY 14094 at 7:30pm on May 4, 2016.

3. Engineer – nothing to report.

4. Town Board-

Councilmember Siejak first thanked Rob Klavoon for the Current Capital Project Engineering Update, he stated it informs the Town Board of the status of every project we are working on presently.

He then proceeded to tell the board about the request he received from the Royal Gardens Homeowners Association a duplex community in the Town of Lockport consisting of Magnolia Drive, Mulberry Lane and Lilac Drive. They would like the Town to erect a street light at the corner of Lilac and Magnolia. Council Member Siejak has researched the need and finds it to be justified.

MOTION (2016-107) was made by Councilmember Siejak, seconded by Councilmember Dufour to install one 50 watt high pressure sodium post top light through NYSEG at a cost of approximately \$9.17 per month at the corner of Lilac Drive and Magnolia Drive. The motion was approved. AYES–5, NAYS–0. Voting AYE: Crocker, Siejak, Dufour, Keough and DiCarlo.

Councilmember Dufour gave an update on Day Road Park and expressed excitement for the progress that will be made in the park this summer with the help of the Highway Department Superintendent and his crew. She also mentioned she received a call from the Stephanie Moore-Verratti foundation; they would like to plant flowers at the entrance to the Stephanie Moore-Verratti pavilion at Day Road Park and volunteered to be responsible for maintaining the garden. She happily reported yet another example where the residents have taken a vested interest in adding to the beauty of our Town Parks.

Councilmember Keough reported Senator Rob Ort, in conjunction with the Niagara County Refuse District, Department of Environmental Conservation and the City of North Tonawanda, will be hosting a hazardous waste drop off on Saturday, April 30, 2016 from 10:00 am to 2:00 pm at the Public Works Garage located at 758 Erie Avenue, North Tonawanda, NY for Niagara County residents. Anyone wishing to dispose of hazardous waste must schedule an appointment by visiting www.rethinkyourwaste.com or calling 716-439-7250.

5. Supervisor:

Supervisor Crocker announced that after the promotion of Jason Neden to Deputy Superintendent of Water and Sewer Maintenance (Distribution System) it is now necessary to fill the vacant position in that Department for a Laborer DL. He would like to post this position internally for five working days, and then open it to the public.

MOTION (2016-108) was made by Councilmember Dufour, seconded by Councilmember DiCarlo to advertise an opening for a Laborer DL for the vacancy left by Jason Neden in the Water Department at a salary of \$18.50 per hour. The motion was approved. AYES–5, NAYS–0. Voting AYE: Crocker, Siejak, Dufour, Keough and DiCarlo.

The next item pertained to filling four seasonal laborer positions for the spring and summer of 2016; two for the Water Department and two for the Highway Department. These positions would be for a six month duration.

MOTION (2016-109) was made by Councilmember Siejak, seconded by Councilmember Keough to hire four seasonal laborers, two for the Highway Department and two for the Water Department for a six month duration at a rate of \$11.00 per hour. The motion was approved. AYES–5, NAYS–0. Voting AYE: Crocker, Siejak, Dufour, Keough and DiCarlo.

Supervisor Crocker distributed two lists submitted by Dave Miller, Highway Superintendent of excess equipment that is no longer needed for the Highway Department and Water Department. He would like to sell these at public auction. Councilmember Dufour confirmed that the Town has used these items to their full value and agrees that they be taken to auction for sale.

MOTION (2016-110) was made by Councilmember Dufour, seconded by Councilmember DiCarlo for the following resolution allowing Dave Miller, Highway Superintendent to take items to auction for sale on behalf of the Town of Lockport. The motion was APPROVED: AYES–5, NAYS–0. Voting AYE: Crocker, Siejak, Dufour, Keough and DiCarlo.

RESOLVED, that the Town Board declares the following items surplus property with no value to the Town,

Highway Department

New Holland Tractor/Boom Mower
1996 Chevrolet 3500 Truck
Homelite Water Trash Pump

Woods 3 point mower
1991 Elgin Sweeper

Water Department

(2) Ford blue truck boxes
Lesco Viper Zero Turn Mower
Lesco Walk Behind Mower
Robin Portable Generator
(2) weed wackers
(6) shop lights
(2) Quincy Compressor Units

Scag Zero Turn Lawn Mower
Waukesha Diesel Generator
2003 Chevrolet Silverado (vehicle #0058)
1989 GMC Dump Truck (vehicle #0062)
2003 Chevrolet Silverado (vehicle #0061)
(3) control boxes for out dated pump stations
(2) motors for Quincy Compressors

NOW, THEREFORE, BE IT FURTHER

RESOLVED, that the Highway Superintendent is directed to cause these items to be auctioned.

EXECUTIVE SESSION

MOTION (2016-111) to enter executive session at 1:55pm for the purpose of consulting with the Town Attorney was made by Councilmember DiCarlo, seconded by Councilmember Keough. The motion was APPROVED. AYES–5, NAYS–0. Voting AYE: Crocker, Siejak, Dufour, Keough and DiCarlo.

EXECUTIVE SESSION ENDED, WORK SESSION RECONVENED

MOTION (2016-112) to resume the work session and regular business meeting at 2:40pm was made by Councilmember Siejak, seconded by Councilmember Keough. The motion was APPROVED. AYES–5, NAYS–0. Voting AYE: Crocker, Siejak, Dufour, Keough and DiCarlo.

MOTION (2016-113) to approve the following resolution was made by Councilmember Siejak, seconded by Councilmember DiCarlo. The motion was APPROVED. AYES – 5, NAYS – 0. Voting AYE: Crocker, Siejak, Dufour, Keough and DiCarlo.

RESOLVED, the Highway Superintendent is hereby directed to purchase a 2016 Kenworth model T270 Dump Truck for use at the Town of Lockport Water Department which falls under the piggy back Onondaga bid, and authorizes a trade of 2015 truck as part of this transaction,

BE IT FURTHER RESOLVED, that the Highway Superintendent is further authorized to bid the Viking Box for said Dump Truck with the assistance of the Town Clerk of Town Attorney.

ADJOURNMENT

MOTION (2016-114) to adjourn at 2:43pm was made by Councilmember Keough, seconded by Councilmember DiCarlo. The motion was APPROVED. AYES – 5, NAYS – 0. Voting AYE: Crocker, Siejak, Dufour, Keough and DiCarlo.

Respectfully Submitted,

Judith A. Newbold
Deputy Town Clerk