

# UNAPPROVED

May 2, 2016

A regularly scheduled work session of the Lockport Town Board was conducted at 1:00 p.m. on Monday, May 2, 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: Nancy A. Brooks, Town Clerk; Michael J. Norris, Town Attorney; Robert Klavoon of Wendel Engineering and local media representatives.

Supervisor Crocker opened the meeting slightly late as he was involved in discussions with residents who were present at Town Hall to ask about the recently mailed survey on refuse and recycling that hit homes the previous weekend. The Supervisor stated he had been busy addressing the issue all morning as residents are very interested in the matter and are appearing at Town Hall for answers. He requested that a Town Board member be scheduled to address residents who come to Town Hall to discuss the issue over the next two weeks. He then opened the meeting as follows:

## 1. Town Clerk

The Town Clerk reported receiving a request from Ken Genewick of DeSales Catholic School for use of the Day Road Park Soccer fields by the fifth & sixth graders on Mondays and Wednesdays from 5:30 p.m. to 6:30 p.m. After discussion, the following action was taken.

**MOTION (2016-115):** to grant permission for the use of the Day Road Park soccer fields by the DeSales Catholic School fifth and sixth graders was made by Council member Dufour and seconded by Council member DiCarlo. The motion was CARRIED: AYES-5, NAYS-0. Voting AYE: Siejak, Dufour, Keough, DiCarlo and Crocker.

## 2. Town Attorney

Mr. Norris brought forth a proposed Local Law entitled "Adding Solar Energy Systems Article to the Code of the Town of Lockport" for review by the Tow Board. Hard copies were distributed and Mr. Norris reviewed the proposed law, page by page. After some discussion, Councilman Siejak introduced the proposed Local Law and the following action was then taken:

**MOTION (2016-116):** on a motion by Council member Siejak and seconded by Council member DiCarlo, the following resolution was duly ADOPTED: AYES-5, NAYS-0. Voting AYE: Siejak, Dufour, Keough, DiCarlo and Crocker.

**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 Solar Energy 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, and 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

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**WHEREAS**, the Town would like to refer these proposed code revisions to the 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 Solar Energy Systems Article to the Code of the Town of Lockport" at the Lockport Town Hall, 6560 Dysinger Road, Lockport, NY 14094 at 7:30 p.m. on June 8, 2016.

\* **Note:** A copy of the proposed Local Law is on file with the Town Clerk and is available for public review during normal business hours.

**3. Engineer**

Mr. Klavoon requested authorization to add the following items to the agenda for the May 4, 2016 Town Board meeting:

- Authorization to prepare plans & specifications for Contract #16-2 Royal Gardens Sewer I & I and to set a bid date of June 20, 2016.
- To award a Request for Proposal for indoor air monitoring of the Town Highway Garage/Offices to Danforth Co., the company supplying the lowest quote for the project, in the amount of \$2,241.00
- Authorization to close out the Transit Road Gateway Signs Project with Ulrich Sign Co. and Frey Electric

Additionally, Mr. Klavoon provided the Town Board with updates on two matters:

- the archeological study of the Purdy Road/Upper Mountain Road area. No items of archaeological importance have been found during the study
- The annual Storm Water Report is completed and will be added to the Town's website

**4. Town Board Comments/Reports**

**Councilman Siejak** commended the Town Highway Dept. for placing protective barriers behind the Transit North Gateway signs.

**Councilwoman Dufour** reported that Jill Lederhouse, the Town Assessor, has almost completed the tax assessment grievances for the year. Approximately 50 informal hearings have been conducted satisfactorily and at this time, only three cases are scheduled for formal hearing on Grievance Day on May 24, 2016.

**Councilwoman DiCarlo** reported that she worked the Town's electronic waste drop off on Saturday, April 30<sup>th</sup>. She reported that a couple of topics have come up at each of the last two drop offs that she would like discussed. Those issues being; how to determine that only Town residents are participating in the program, as well as whether the Town should limit the number of items that residents can drop off each month. Following some discussion, it was decided that a limit of four items per family/per month should be allowed. This will be added to the Town's website.

Additionally, the Councilwoman stated that residents were asking about hazardous household wastes. Supervisor Crocker reported that Niagara County will conduct a hazardous household waste drop off as well as a shredding and pharmaceutical drop off at the Lockport Town Hall on October 8, 2016. This will also be in the Town newsletter and posted on the Town's website.

**5. Supervisor's Comments/Reports**

Supervisor Crocker reminded the Board that a Public Hearing on the Noncommercial Wind Energy Systems Law will be conducted at the May 4, 2016 Town Board meeting.

**6. Executive Session Entered**

**MOTION (2016-117):** to enter Executive Session for the purpose of consulting the Town Attorney was made by Council member Dufour and seconded by Council member DiCarlo. The motion was CARRIED: AYES-5, NAYS-0. Voting AYE: Siejak, Dufour, Keough, DiCarlo and Crocker.

The Town Board entered Executive Session at 2:03 p.m.

**7. Executive Session Exited and Work Session Reconvened**

**MOTION (2016-118):** to exit Executive Session and to reconvene the work session was made by Council member DiCarlo and seconded by Council member Dufour. The motion was CARRIED: AYES-5, NAYS-0. Voting AYE: Siejak, Dufour, Keough, DiCarlo and Crocker.

The work session reconvened at 2:38 p.m. with no Town Board action taken during Executive Session.

**8. Adjournment**

**MOTION (2016-119):** to adjourn was made by Council member Keough and seconded by Council member Siejak. The motion was CARRIED: AYES-5, NAYS-0. Voting AYE: Siejak, Dufour, Keough, DiCarlo and Crocker.

The meeting ended at 2:39 p.m. The Lockport Town Board will next meet at 7:30 p.m. On Wednesday, May 4, 2016.

Respectfully submitted,

Nancy A. Brooks, RMC, CMC  
Lockport Town Clerk

