

UNAPPROVED

May 4, 2016

The regular business meeting of the Lockport Town Board was conducted at 7:30 p.m. on Wednesday, May 4, 2016, at the Town Hall, 6560 Dysinger Road, Lockport, New York.

Present were: Supervisor: Mark C. Crocker

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

Also present: Nancy A. Brooks, Town Clerk; Michael J. Norris, Town Attorney; Larry Haseley, Town Historian; Ken Horvath, Town Park Ranger; and approx. twenty residents.

Supervisor Crocker opened with the Pledge of Allegiance and then began the meeting as follows:

PUBLIC HEARING: Proposed Local Law entitled "A Local Law Adding Noncommercial Wind Energy Conversion Systems Article to the Code of the Town of Lockport"

The Town Clerk read the Notice of Public Hearing as was published in the Union Sun & Journal and the Supervisor opened the floor for comments as follows:

Bruce Battaglia of Magnolia Drive spoke in favor of use of micro wind turbines suggesting that they are a viable alternative form of energy. He spoke specifically about one type that weigh approx. 30 lbs., are American built, that are capable of being tied to the grid and can be placed on top of homes or small businesses. He provided pictures of this type of turbine to the Board.

Jim Williams of Akron Road stated he was in favor of wind energy and that it's necessary to seek alternative forms of energy and that this type is helpful and good for the environment.

No others spoke on the issue, the Public Hearing was closed and the regular business meeting was begun.

PUBLIC COMMENTS: Supervisor Crocker read the Town's policy for public comments and opened the floor. No one spoke and the meeting continued as follows:

Supervisor Crocker introduced Larry Haseley, the Town Historian, who displayed a wall plaque donated by William "Bill" Gregory, a Town of Lockport native, who was a NASA astronaut. The plaque, signed by all the astronauts that accompanied Bill on his flight on Astro 2, a NASA space shuttle, will now hang on the wall of the Board meeting room at Town Hall. Lastly, Mr. Haseley also gave a plea for new members for the Town of Lockport Historical Society. Interested persons can contact him directly.

BUSINESS MEETING:

1. Approval of Minutes

MOTION (2016-120): to approve the minutes of Town Board meetings conducted on 04/04/2016, 04/06/2016, and 04/20/2016 was made by Council member Siejak and seconded by Council member DiCarlo. The motion was CARRIED: AYES-5, NAYS-0. Voting AYE: Siejak, Dufour, Keough, DiCarlo and Crocker

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2. Approval of Payment of Bills

Stating that he had audited the bills for the month of May, Supervisor Crocker asked for a motion of approval for payment.

MOTION (2016-121): that the bills for the month of May be approved for payment was made by Council member Keough and seconded by Council member Dufour. The motion was CARRIED: AYES-5, NAYS-0. Voting AYE: Siejak, Dufour, Keough, DiCarlo and Crocker.

The bills for May consist of Vouchers #36364 – 36579 in the amount of \$1,335,086.65.

3. Communications – There were none to report.

4. Building Inspector's Report

Councilwoman Dufour read the report for the month of April which states that 47 building permits were issued; \$23,837.00 was collected in fees; and the estimated cost of construction was \$1,250,616.00.

MOTION (2016-122): to accept the Building Inspector's Report for the month of April 2016 as submitted was made by Council member Dufour and seconded by Council member Keough. The motion was CARRIED: AYES-5, NAYS-0. Voting AYE: Siejak, Dufour, Keough, DiCarlo and Crocker.

5. Supervisor's Monthly Financial Report

MOTION (2016-123): to accept the Supervisor's Monthly Financial Report for the period ending April 30, 2016 was made by Council member Dufour and seconded by Council member Siejak. The motion was CARRIED: AYES-5, NAYS-0. Voting AYE: Siejak, Dufour, Keough, DiCarlo and Crocker.

6. Resolution to Authorize Plans & Specifications for Contract #16-2 – Royal Parkway Sewer Infiltration and Inflow

MOTION (2016-124): on a motion by Council member DiCarlo and seconded by Council member Keough, the following resolution was duly ADOPTED: AYES-5, NAYS-0. Voting AYE: Siejak, Dufour, Keough, DiCarlo and Crocker.

**TOWN OF LOCKPORT RESOLUTION
ROYAL PARKWAY SANITARY SEWER ASSESSMENT
CONTRACT 16-2**

WHEREAS, the Town of Lockport has authorized Wendel, the Town's Engineers to complete the plans and specifications for the sanitary sewer assessment of the Royal Parkway Sanitary Sewer service area, and

WHEREAS, Wendel has completed the plans and specifications as required,

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

- Books Available: Monday, May 16, 2016
- Bid Opening: Monday, June 20, 2016 at 1:00 PM.

7. Resolution to Authorize the Close-Out of Contract #14-7R-S

MOTION (2016-125): on a motion by Council member Dufour and seconded by Council member Keough, the following resolution was duly ADOPTED: AYES-5, NAYS-0. Voting AYE: Siejak, Dufour, Keough, DiCarlo and Crocker.

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**TOWN OF LOCKPORT RESOLUTION
FINAL CLOSE-OUT AND ACCEPTANCE
CONTRACT NO. 14-7R-S**

WHEREAS, the Town of Lockport awarded a bid to Ulrich Sign Co., by Contract No. 14-7R-S, for the Town of Lockport Gateway Sign Contract, and

WHEREAS, Wendel has determined that Ulrich Sign Co. has completed the project in general conformance with the Contract Plans and Specifications.

NOW THEREFORE BE IT RESOLVED:

1. The Town of Lockport Town Board accepts the final pay request and Release of Liens provided by the contractor
2. The Town of Lockport Town Board authorizes full contract payment and release if all retained monies
3. The Maintenance Bond will remain in effect for a two (2) year period From May 4, 2016

8. Resolution to Authorize the Close-Out of Contract #14-7R-E

MOTION (2016-126): 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.

**TOWN OF LOCKPORT RESOLUTION
FINAL CLOSE-OUT AND ACCEPTANCE
CONTRACT NO. 14-7R-E**

WHEREAS, the Town of Lockport awarded a bid to Frey Electric Construction, Inc. By Contract No. 14-7R-E, for the Town of Lockport Gateway Sign Contract, and

WHEREAS, Wendel has determined the Frey Electric Construction Co., Inc. has Completed the project in general conformance with the Contract Plan and Specifications,

NOW THEREFORE BE IT RESOLVED:

1. The Town of Lockport Town Board accepts the final pay request and Release of Liens provided by the contractor
2. The Town of Lockport Town Board authorizes full contract payment and release of all retained monies
3. The Maintenance Bond will remain in effect for a two (2) year period From May 4, 2016

9. Resolution to Award Janitorial Contract

Deputy Building Inspector, Michael R. Brown, is the owner of WNY Cleaning Specialists and has submitted a letter of disclosure to the Town Board, the Town Clerk and to Senior Building Inspector Belson, pursuant to General Municipal Law Section 803 which is on file with the Town Clerk's office.

MOTION (2016-127): on a motion by Council member Keough and seconded by Council member Dufour, the following resolution was duly ADOPTED: AYES-5, NAYS-0. Voting AYE: Siejak, Dufour, Keough, DiCarlo and Crocker.

**TOWN OF LOCKPORT
RESOLUTION**

WHEREAS, the Town of Lockport sought bids for the annual Janitorial and Cleaning Contract for the Town of Lockport Town Hall Complex, Day Road Park, and other town buildings, and

WHEREAS, sealed bids were received on Thursday, April 28, 2016 at 9:30 a.m. and

WHEREAS, WNY Cleaning Specialists was the sole bid submitted and has provided the proper proof of insurance and other documents as specified in the bid documentation

NOW, THEREFORE BE IT RESOLVED:

The Town of Lockport Town Board does hereby award the bid for the Janitorial and Cleaning Contract for the Town Hall Complex and for the Day Road Park to WNY Cleaning Specialists in an amount not to exceed \$26,390.00.

10. Resolution to Authorize Reimbursement to the Town of Somerset for costs Associated with the Greater Niagara Orleans County Municipal Health Insurance Consortium

MOTION (2016-128): on a motion by Council member DiCarlo and seconded by Council member Siejak, the following resolution was duly ADOPTED: AYES-5, NAYS-0. Voting AYE: Siejak, Dufour, Keough, DiCarlo and Crocker.

**TOWN OF LOCKPORT
RESOLUTION**

WHEREAS, the Greater Niagara Orleans County Municipal Health Insurance Consortium Study consists of twenty-six municipal entities throughout Niagara and Orleans Counties; and

WHEREAS, the Consortium's goal is to reduce overall care costs to municipalities through purchasing health insurance jointly; and

WHEREAS, an initial comprehensive review was completed by Arthur J. Gallagher & Co. showing that significant savings would accompany the joint purchasing of health insurance through the Consortium, thereby reducing the overall operating costs to municipalities; and

WHEREAS, the Consortium, if adopted, should provide relief to taxpayers through efficiency and leverage provided by the Consortium; and

WHEREAS, by consensus vote of the Consortium Ad Hoc Committee comprised of participating municipalities, it was directed that the Town of Somerset as lead agency for the participating members apply for a \$250,000.00 grant from the New York State Department of State to further study the Consortium; and

WHEREAS, the twelve towns in Niagara County, who are all participating members, in this project, each contributed \$417.00 to date towards the cost of the grant writer to pursue the state grant; and

WHEREAS, the Consortium was successful in that the state grant was awarded and the Town of Somerset was designated as the lead agency for administrating the grant; and

WHEREAS, as a condition to the Department of State \$250,000.00 grant, the recipient must provide matching funds equal to 10% of the overall grant total; and

WHEREAS, the Town of Somerset, as the lead agency, is responsible for providing the \$25,000.00 in matching funds as required by the New York State Department of State; and

WHEREAS, by consensus vote of the Consortium Ad Hoc Committee comprised of participating municipalities, it was agreed that participating municipalities would equally reimburse the Town of Somerset for the matching funds required to be paid by the Town of Somerset for this grant; and

WHEREAS, at this time and during the grant process, there is no obligation of any municipality to join the Consortium upon its final implementation; and

WHEREAS, in order to completely evaluate the full costs and benefits of a Consortium, it is essential that the grant project continue until its conclusion; and

WHEREAS, the Town of Somerset will seek reimbursement on a quarterly basis from the State for services and expenses rendered under this Grant, in which the State will deduct the matching grant portion; and

WHEREAS, the Town of Somerset will then submit quarterly to each participating municipality a voucher for its portion of the matching grant share; and

WHEREAS, this municipality is one of the entities participating in this project and will Continue to benefit from the Consortium study and potential implementation; and

NOW THEREFORE BE IT RESOLVED, that in the spirit of cooperation, this municipal body agrees that the cost of the matching amount borne by the Town of Somerset shall be allocated amongst the current twenty-six participating municipalities in equal shares, with each Niagara County town who contributed towards the cost of the initial grant writer receiving a \$417.00 deduction from this equal share in order to ensure that each entity contributes and identical amount towards this worthy project; and be it further

RESOLVED, this municipal body does hereby authorize payment to reimburse the Town of Somerset in the amount not to exceed a total of \$737.00 over a two-year period in quarterly reimbursements not to exceed \$184.25 for our share of the grant matching funds for this worthy project; and

RESOLVED, that if any additional municipal entity joins this Consortium study, then this municipal body recognizes that the aforementioned reimbursements will be adjusted downward accordingly.

12. Resolution Authorizing Supervisor to Enter Agreement with Ross Rental

MOTION (2016-129): to authorize the Supervisor to enter an agreement with Ross Rental to provide a bounce house for Town of Lockport Community Day on July 24, 2016 was made by Council member Dufour and seconded by Council member Keough. The motion was CARRIED: AYES-5, NAYS-0. Voting AYE: Siejak, Dufour, Keough, DiCarlo and Crocker.

13. Resolution Authorizing Supervisor to Enter Agreement with Ross Rental

MOTION (2016-130): to authorize the Supervisor to enter an agreement with Ross Rental to provide a bounce house for the Town of Lockport Fall Festival on October 16, 2016 was made by Council member DiCarlo and seconded by Council member Keough. The motion was CARRIED: AYES-5, NAYS-0. Voting AYE: Siejak, Dufour, Keough, DiCarlo and Crocker.

14. Resolution Authorizing Supervisor to Enter Agreement with American Cancer Society for Fund Raiser at Day Road Park

MOTION (2016-131): to authorize the American Cancer Society to conduct a "Bark for Life" fund raiser at the Day Road Park on May 14, 2016, subject to them providing the Town of Lockport with proof of liability insurance of no less than \$1,000,000.00 was made by Council member Siejak and seconded by Council member DiCarlo. The motion was CARRIED: AYES-5, NAYS-0. Voting AYE: Siejak, Dufour, Keough, DiCarlo and Crocker.

15. Resolution Authorizing Supervisor to Enter Agreement with the Nia. Co. Historical Society

MOTION (2016-132): to authorize the Supervisor to enter an agreement with the Niagara County Historical Society to conduct a one-day Summer Youth Program for Town residents at a \$5 discount rate was made by Council member Dufour and seconded by Council member Keough. The motion was CARRIED: AYES-5, NAYS-0. Voting AYE: Siejak, Dufour, Keough, DiCarlo and Crocker.

16. Town Board Comments/Reports

Councilwoman DiCarlo informed those present of an upcoming computer class entitled "Computer Basics" to be held at the Town hall on May 12, 2016. Registration can be done by phoning the Lockport Library.

She also reminded residents that approximately twenty students have submitted applications for the Town of Lockport Outstanding Youth Award, and that the Recreation Committee has a hard job choosing only one winner for the award which will be given at the June 8, 2016 Town Board meeting.

Lastly, she reported that she worked the Town's electronics recycling drop off held on April 30th. She stated that it was well received and quite a lot of recyclables were taken. However, afterward she brought some recurring recycling issues to the Town Board for discussion, and it has been decided that due to the number of large TVs collected at one time, Town residents will be now be limited to dropping off only 4 large items per month for electronic recycling. Also she emphasized that the recycling program is only for Town residents and that this point will be enforced. The next electronics drop off will be held on May 28, 2016.

Councilman Siejak thanked those persons who spoke at the Public Hearing stating that the Town Board appreciates their input.

He also reported on several topics as follows:

- Town Brush Pickup – to be held Monday, Monday 16th
- Memorial Day Week – refuse pickup to be one day late
- Dale Association – to host a Veteran's Forum on May 19th from 12:30 - 3:30 pm sponsored by NYS Senator, Rob Ort for more info: 433-1886
- The Barge Canal Optimist Bicycle Safety Rode – to be held at Day Road Park on Monday, June 13, 2016 from 6- 8:00 p.m. (kids 3-12) (Rain Date – June 20th)
- May is Motorcycle Safety Month – please be cautious and watch for bike riders
- The Town –Wide Garage Sale will be conducted June 3-5th Once again, he urged residents to use caution as people will be stopping along the highways

Councilwoman Dufour also thanked those persons who attended and those who spoke, additionally thanked Larry Haseley for all he does as Town Historian.

The Councilwoman also reported that Jill Lederhouse, the Town Assessor, has conducted 50 informal assessment hearings and will continued to do so until Grievance Day which will be held on May 24th. Anyone having issues with a newly changed assessment, can contact the assessor at 439-9526 to request a meeting.

Councilman Keough announced that coupons for \$20 off the summer swim lessons for Town children can be acquired at the Town Clerk's office. Registration will take place at the YWCA, 32 Cottage Street (433-6714). Lessons will begin in July and will take place at the Lockport High School this year.

16. Supervisor's Comments/Reports

Stating that it had been an exciting week at Town Hall, Supervisor Crocker reported that the Town survey mailed out regarding new refuse/recycling containers has been well received and he displayed a large quantity of responses that have been returned. The Town Board is very pleased that residents have responded so well and he encouraged residents to mail responses before the survey dead line of May 13th. Samples of the purposed containers are on site at the Town Hall for residents to view and to help decide for survey responses. The current contract comes due at year's end and a new one will be in place for 2017. There will be no charge for the new recycling containers as the Town has budgeted monies and will be applying for a grant to purchase carts for this purpose. As of 2017, recycling will be done on a bi-weekly schedule; refuse will continue to be taken weekly. Once again, the Supervisor thanked everyone who had responded and urged everyone to mail their responses ASAP to assist the Town Board in making a decision as to what parameters will be utilized as they proceed in the bid process.

There being nothing further for discussion or action, Supervisor Crocker asked for a motion to adjourn.

MOTION (2016-133): 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 was ended at 8:00 p.m. The Lockport Town Board stands adjourned until 1:00 p.m. on Monday, June 6, 2016.

Respectfully submitted,

Nancy A. Brooks, RMC, CMC
Lockport Town Clerk