

UNAPPROVED

October 3, 2016

A regularly scheduled work session of the Lockport Town Board was conducted at 1:00 p.m. on Monday, October 3, 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; Kate Carter, Town Budget Officer; Robert Klavoon of Wendel Engineering and local media representatives.

Supervisor Crocker welcomed everyone and opened the meeting as follows:

1. Town Clerk

The Clerk reported receiving a letter from the NYS Dept. of Transportation regarding the Town's request for speed study on Kinne Road. After their initial review and study, they will establish a 45 MPH speed limit for Kinne Road from Sanders Road to Wisterman Road.

Supervisor Crocker also brought forth that there have been two or three accidents at or near the intersection of Bartz, Rapids and Crosby Roads. He stated that this is a very busy intersection and he had discussed the matter with Town Highway Superintendent, David Miller, and he agrees the intersection should be examined. The Supervisor reported that the Niagara County Highway Department is going to examine the intersection as they are very concerned as well. The Supervisor then suggested that the Town request a speed study of the intersection.

MOTION (2016-233): to request the NYS Dept. of Transportation to do a speed study of the intersection of Bartz Road, Rapids Road and Crosby Road 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.

2. Town Attorney

Mr. Norris requested authorization for the Town Supervisor to enter the annual agreement for shared services with the NYS Dept. of Transportation, pursuant to Section 99-r of General Municipal Law. This item will be added to the agenda for the Town Board meeting on October 5, 2016.

3. Engineer

Mr. Klavoon then proceeded to give an overview of nine different resolutions he is requesting to be placed on the 10/05/2016 agenda for Town Board action. A brief review of them is as follows:

Carlisle Gardens Contract #162S-R- a request to approve Change Order #2 in the amount of \$13,604.04 and to authorize the signing of closeout documents.

IDA, Keck Rd, & Niagara Co. Jail Pump Station Rehab (Contract #163S) – a request to authorize the close out payment of \$5,000.00 and to authorize the Supervisor to sign any closeout documents.

General Capital Improvements – Sewer Contract #166S – a request to authorize the final payment of \$3,559.78 and to authorize the Supervisor to sign any required closeout documents.

Phase 1 Sewer Bond Report - Relative to the projects in Phase 1 Sewer Capital Improvements, Mr. Klavoon added that the figures have all been reviewed and verified and the Town will be seeking long term bonding (20 year) for the Phase 1 Sewer Project in the amount of \$1,750,764.40. The current BAN (Bond Anticipation Note) on the project will terminate in December 2016.

Transit Road Water Line Replacement Contract # 154W – request for authorization of deduct Change Order #2 in the amount of \$229,786.12 and to authorize the final contract price of \$2,336,031.07.

Transit Road Water Line Replacement Contract 154 W – a request to authorize the final payment of \$68,199.33 and to authorize the Supervisor to sign any required closeout documents.

Phase 1 Water Bond Report - Relative to the bonding for the Phase 1 Water Capital Improvements, of which the Transit Road Water Line Replacement is one, Mr. Klavoon stated the current BAN on this project will also be ending in December 2016. The figures have all been reviewed and verified and the Town will be seeking long term bonding (20 Yr.) for Phase 1 Water in the amount of \$3,496,595.01.

Water Line Replacement Projects - Contract #158W – design work is completed and authorization for the engineer to set a bid date of October 27, 2016 at 11:00 a.m. will be added to the agenda for 10/05/2016.

Sewer Phase 2A – Lift Station Generators – a request for authorization of the Standardization of the generators (the use of Kohler generators) for 23 lift stations throughout the Town will be added to the agenda for the next meeting.

Sewer Phase 2A Contract #168S – sewer design work has been completed and he will place a request to set a bid date for October 27, 2016 at 1:00 p.m. on the next agenda.

NYSEG ENERGY EFFICIENCY PROGRAM – Mr. Klavoon explained that NYSEG had recently completed an energy efficiency study for converting the lighting in the Town highway garage, the salt barns and the parking lot over to LED lighting. NYSEG had recently reported to Mr. Klavoon that additional funding for this program had recently been made available and that the Town could take advantage of the savings if acted upon quickly. NYSEG listed the total project cost as \$49,569.44. If the Town enters the Energy Efficiency Program, NYSEG will pay the amount of \$25,644.43 and the Town would be responsible for \$23,925.01. Mr. Klavoon provided the Town Board with a program outline, stating that with a 2-year return on investment, the Town could see as much as a 70% annual savings. After some discussion, and consulting with the Town Attorney who had reviewed the program and found it to be in the best interest of the Town, the Town Board took the following action:

MOTION (2016-234): to authorize the Town Supervisor to enter the Direct Replacement Energy Efficiency Program with NYSEG for the conversion to LED lighting for the Town highway garage, salt barns and parking lot, at a cost in the amount of \$23,925.01 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.

Lockport City Schools Capital Improvement Project - Mr. Klavoon stated that he had received a letter from the City School District requesting confirmation from the Town that it is in support of the School District acting as Lead Agency for the Capital Improvement Projects for 2016 as well as soliciting comments on the various projects included in the capital improvements. This item will be placed on the 10/05/2016 agenda.

4. Town Board Comments/Reports

Deputy Supervisor Siejak - reported that in April 2016 he had received a request from the Royal Gardens Condominium Complex to have a street light erected at the corner of Lilac Drive and Magnolia Drive. He reported that after several attempts to contact the correct contact at NYSEG, he obtained an estimated cost figure of \$5,000.00 – 7,000.00 due to the fact that a trench would be required to be dug from an existing pole to the new one. Councilwoman Dufour added that the Town Highway crews could dig a trench at a considerably less amount. However, Deputy Supervisor Siejak has consulted David Miller, Highway Superintendent, regarding the project, and Mr. Miller was not comfortable in having Highway personnel dig a trench due to the many utilities etc. in the area. Supervisor Crocker stated that the Town has had a policy in affect regarding the installation of street lights and that he has no problem with the Town Board adhering to these rules. Perhaps, the Homeowners' Association would be willing to pay the cost of the trenching, at which time the Town Board could reconsider. The Supervisor proposed to table a decision at this time. The Board concurred.

In another request from the Town I.D.A. for a street light on Commerce Drive in the Town I.D.A. Park, it was estimated that to place a 150 watt high pressure sodium light at that location would require a \$2,000 transformer to be placed on top of a pole. In discussions with NYSEG, the Deputy Supervisor learned that there is a manufacturer which produces a 480 volt/ 150 watt light that would cost the Town nothing to install but would take a considerable amount of time to obtain. Based on the fact that this is in a low-traffic area, it was decided that Town can wait a few months to obtain the light that can be erected at no Town cost.

Councilwoman Dufour stated she appreciated the good news that Mr. Klavoon reported concerning the sewer and water projects that had come in under budget.

Additionally, she gave an update on Lytle Park, reporting that there were some \$10,000-11,000 left over monies from the Greenways grant that will now be used to have the Town Highway Dept. stone a walk way; a water line will be installed to facilitate watering the berms; and a short path will be paved from Slayton Settlement Road to the beginning of the boardwalk. This will finish off the amount received from the grant and will all be accomplished with this year's budget.

Lastly, she reported that Mr. Miller fully expects that by the end of the week, the Highway Dept. should have completed paving the Town Hall complex parking lot.

Councilwoman DiCarlo spoke on the issue of the Town's desire to expand the playground equipment at Day Road Park. The Town received a grant totaling \$12,000 but the cost of the playground is much greater so it was decided that this project will be tabled until a later date, possibly to look for alternate funding sources.

5. Supervisor's Comments/Reports

The Supervisor reported on the following:

David Miller, Town Highway Superintendent, has been appointed to the NYS Association of Town Superintendent of Highways Executive Committee. He congratulated Mr. Miller on receiving this distinction.

Household Hazardous Waste Drop Off – he reminded the Board members that the Town will host a Niagara County Household Hazardous Waste Drop Off on Saturday, October 8, 2016 from 10:00 – 2:00 p.m. The event will also include paper shredding and a pharmaceutical drop off. Residents interested in the hazardous waste drop off can contact the County at rethinkyourwaste.com or phone 439-7240 for an appointment, shredding or pharmaceutical drop off requires no appointment.

Town Court Audit – the office of Lumsden & McCormick has completed an audit of the Town Court records and the Town Board, by resolution, must approve the audit on an annual basis as required by NYS Court Administration.

MOTION (2016-235): to approve the Lumsden & McCormick audit of the Town Court for the period ending December 31, 2015 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.

RECESS: The Town Board meeting broke for a brief recess at 1:47 p.m.

The meeting commenced once again at 1:55 p.m. for a 2017 Town Budget review with Kate Carter, Town Budget Officer.

Miss Carter reviewed the few changes that were made since the last budget session. She reported, as mentioned in a letter to the Board from Supervisor Crocker dated October 3, 2016, that suggests the budget remain at a flat 0% increase. The changes made to date reflect a 0% based, flat rate budget. Those changes include:

Account #

GENERAL FUND

Expenses

1330.1 Tax Collection Personnel - Increased
6772.4 Program for Aging – Line Item increased to \$51,500
7110.2 Parks Capital Improvements – Decreased
9060.8 Hospital & Medical Insurance – Increased (fees up from 7% to 10%)

Revenues

1120 Sales Tax – Decreased
Amount to be taken from Fund Balance – Increased

HIGHWAY

Expenses

9060.8 Hospital & Medical Insurance – Increased

Revenues

1120 Sales Tax – Increased

WATER

Expenses

9060.8 Hospital & Medical Insurance – Increased

Revenues

2144 Water Connection Charges - Increased

FIRE DISTRICTS

Revenues

1001 Real Property Taxes – Decreased

1120 Sales Tax – Increased

SEWER

Expenses

8130.4 Sewage Treatment - Decreased
9060.8 Hospital & Medical Insurance – Increased
9710.6 Bond Principal Payment – Increased
9710.7 Bond Interest Payment – Increased

Revenues

1001 Real Property Taxes – Increased

CARLISLE GARDENS SEWER & WATER/LINCOLN VILLAGE SEWER

Expenses

1989.4 Other Gen. Govt. Support – Increased

Revenues

1001 Real Property Taxes – Increased

6. Executive Session Entered

MOTION (2016-236): to enter Executive Session to discuss personnel issue and to consult with the Town Attorney 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.

The Town Board entered Executive Session at 2:10 p.m.

7. Executive Session Ended and Work Session Reconvened

MOTION (2016-237): to exit Executive Session and to reconvene the work session 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.

The work session was reconvened at 2:40 p.m. with no Town Board action taken during Executive Session.

8. Adjournment

MOTION (2016-238): to adjourn was made by Council member Siejak 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 was ended at 2:40 p.m. The Lockport Town Board will next meet at 7:30 p.m. on Wednesday, October 5, 2016.

Respectfully submitted,

Nancy A. Brooks, RMC, CMC
Lockport Town Clerk