

**TOWN OF NIAGARA
TOWN BOARD MEETING
MINUTES**

Tuesday, September 22, 2020

6:30 PM

Calvin K. Richards Senior Center
7000 Joe Rotella Way
Niagara Falls, NY 14305

Social Distancing and Masks were enforced for COVID 19 regulations

WORK SESSIONS

Wednesday, September 9, 2020 @ 6:30 pm

PUBLIC HEARING

OPEN MEETING (Pledge, Prayer, Obituaries, Roll Call)

Supervisor Lee Wallace opened the Town Board meeting at 6:31 p.m. The Pledge of Allegiance was recited. A Prayer offered by Deputy Supervisor Charles Teixeira. Attached is a Memorial Page of all the deceased Town residents since March 2020 the beginning of Covid and Public Meetings were not held.

Roll Call: Present: Supervisor Lee S. Wallace, Deputy Supervisor Charles F. Teixeira, Councilman Richard A. Sirianni, Councilman Samuel S. Gatto, Councilman Marc M. Carpenter
Absent: None
Excused: None
Also, present Town Clerk, Sylvia Virtuoso.

PRIVILEGE OF THE FLOOR (Announce changes to agenda, if any)

(§50-3 Privilege of the floor. Only members of the public sector are allowed to speak at this time and may address any agenda or non-agenda item.

(Combined time is three minutes.)

Kyle Schmelze and Alexis Johnson of Miller Road, Town of Lewiston spoke about the purchase of property. Statement attached.

APPROVAL OF THE MINUTES

1. Town Board Meeting of August 18, 2020

Motion to approve by Councilman Teixeira, second by Councilman Carpenter.

Ayes – Wallace, Teixeira, Sirianni, Gatto, Carpenter
Noes – none
Abstain – none

Motion carried.

PAYMENT OF BILLS

General Fund prepay vouchers [A] \$119,544.05
General Fund vouchers [A] \$48,559.78
Sewer Fund prepay vouchers [G] \$5,959.65
Sewer Fund vouchers [G] \$20,820.92
Water Fund vouchers [F] \$1,727.96
Water Fund vouchers prepay [F] \$3,998.42
Highway Fund vouchers [DA] \$63,945.63
Highway Fund prepay vouchers [DA] \$16,848.26
Fire Protection prepay vouchers [SF]
Fire Protection [SF] \$216.90
Street Lighting vouchers [SL] \$7,295.89
Street Lighting Pre-Pay vouchers [SL]
Trust & Agency Pre-Pay vouchers [TA]
Trust & Agency vouchers [TA] \$2,225.25
Capital Projects prepay vouchers [H] \$88,991.25
Capital Projects vouchers [H] \$275,458.43

Motion to approve by Councilman Gatto second by Councilman Carpenter.

Ayes – Wallace, Teixeira, Sirianni, Gatto, Carpenter
Noes – none
Abstain – none

Motion carried.

AGENDA

1. Resolution to approve the Proclamation for Pulmonary Fibrosis (Attached).
(Wallace)

Motion to approve by Councilman Teixeira second by Councilman Gatto.

Ayes – Wallace, Teixeira, Sirianni, Gatto, Carpenter
Noes – none
Abstain – none

Motion carried.

2. Resolution to declare a negative declaration on the SEQRA as it pertains to the combination of lots for Jose Flores Tax Map #131.18-4-3 & 131.18-4-2. (Haseley)

Motion to approve by Councilman Carpenter second by Councilman Gatto.

Ayes – Wallace, Teixeira, Sirianni, Gatto, Carpenter
Noes – none
Abstain – none

Motion carried.

3. Resolution to approve the combination of lots for Jose Flores Tax Map #133.18-4-3 7 131.18-4-2. (Haseley)

Motion to approve by Councilman Carpenter second by Councilman Teixeira.

Ayes – Wallace, Teixeira, Sirianni, Gatto, Carpenter

Noes – none

Abstain – none

Motion carried.

4. Resolution to declare a negative declaration on the SEQRA for Combination of Lots request for Gunwant Sodhi at 9701 Porter Road Tax Map # 146.19-1-3 & 146.19-1-6. (Haseley)

Motion to approve by Councilman Sirianni second by Councilman Teixeira.

Ayes – Wallace, Teixeira, Sirianni, Gatto, Carpenter

Noes – none

Abstain – none

Motion carried.

5. Resolution to approve the Combination of Lots request for Gunwant Sodhi at 9701 Porter Road Tax map #146.19-1-3 & 146.19-1-6. (Haseley)

Motion to approve by Councilman Carpenter second by Councilman Gatto.

Ayes – Wallace, Teixeira, Sirianni, Gatto, Carpenter

Noes – none

Abstain – none

Motion carried.

6. Resolution to declare a negative declaration on the SEQRA for the combination of lots for Benderson at 6000 Porter Road Tax Map #145.14-3-2.11, 145.14-3-2.2, 145.15-2-2.21. (Haseley)

Motion to approve by Councilman Sirianni second by Councilman Gatto.

Ayes – Wallace, Teixeira, Sirianni, Gatto, Carpenter

Noes – none

Abstain – none

Motion carried.

7. Resolution to approve the combination of lots for Benderson at 6000 Porter Road Tax Map #145.14-3-2.11, 145.14-3-2.2, 145.15-2-2.21. (Haseley)

Motion to approve by Councilman Teixeira second by Councilman Carpenter.

Ayes – Wallace, Teixeira, Sirianni, Gatto, Carpenter
Noes – none
Abstain – none

Motion carried.

8. Resolution to schedule a public hearing on October 20, 2020 at 6:30PM for Local Law 2-2020 the rezoning of the property at 9400 Porter Road (SBL number 146.14-1-10.1) to Heavy Industrial (HI) and authorizing the Town Clerk to advertise and place notice of the public hearing in the official Town newspaper. (Risman)

Motion to approve by Councilman Teixeira second by Councilman Gatto.

Ayes – Wallace, Teixeira, Sirianni, Gatto, Carpenter
Noes – none
Abstain – none

Motion carried.

9. Resolution to call for a Public Hearing for the Special Use Permit request of Frontier Fibers at 3519 Hyde Park Blvd. to be held on October 20, 2020 Town Board Meeting at 6:30 pm. (Haseley)

Motion to approve by Councilman Gatto second by Councilman Teixeira.

Ayes – Wallace, Teixeira, Sirianni, Gatto, Carpenter
Noes – none
Abstain – none

Motion carried.

10. Resolution to replace the light pole with a new standard/higher pole and move light pole approximately 2-3' away from the road edge at 8133 Crestview Drive at the cost of National Grid. (Carpenter)

Motion to approve by Councilman Carpenter second by Councilman Gatto.

Ayes – Wallace, Teixeira, Sirianni, Gatto, Carpenter
Noes – none
Abstain – none

Motion carried.

11. Resolution to approve the adding of approximately 484 tons of #2 stone at a cost of \$7,260.00 to the Rhode Island Avenue project per the original quote. Total cost of base reconstruction is \$79,087.71 being done by Suit Kote Corp. and already approved in Supplement #1 284 2020. (Herman)

Motion to approve by Councilman Carpenter second by Councilman Gatto.

Ayes – Wallace, Teixeira, Sirianni, Gatto, Carpenter
Noes – none

Abstain – none

Motion carried.

12. Resolution to approve the Memorandum of Understanding between the Town of Niagara and Civil Service Employees Association (CSEA) Inc. Local 1000 AFSCME, AFL-CIO, Town of Niagara Police Unit regarding (10) hour work schedules and accruals for the Police Captain and Lieutenants. The approved MOU is retro-active to August 1, 2020. (Wallace)

Motion to approve by Councilman Gatto second by Councilman Carpenter.

Ayes – Wallace, Teixeira, Sirianni, Gatto, Carpenter

Noes – none

Abstain – none

Motion carried.

13. Resolution to declare a negative declaration on the SEQRA for the request for a special use permit for Michael Zafuto at 6700 Porter Road Tax Map #145.11-1-27. (Haseley)

Motion to approve by Councilman Sirianni second by Councilman Teixeira.

Ayes – Wallace, Teixeira, Sirianni, Gatto, Carpenter

Noes – none

Abstain – none

Motion carried.

14. Resolution to approve the request of Michael Zafuto for a special use permit to operate an automotive repair garage 6700 Porter Road Tax Map #145.11-1-27. (Haseley)

Motion to approve by Councilman Sirianni second by Councilman Carpenter.

Ayes – Wallace, Teixeira, Sirianni, Gatto, Carpenter

Noes – none

Abstain – none

Motion carried.

15. Resolution to approve the following transfers:

From

A1990.4 Contingent Purposes 45,000.00

A3120.2 Police Equipment 25,000.00

To

A1640.4 Central Garage 10,000.00

A3120.4 Police Contractual 50,000.00

A9050.8 Unemployment Insurance 10,000.00

Motion to approve by Councilman Carpenter second by Councilman Sirianni.

Ayes – Wallace, Teixeira, Sirianni, Gatto, Carpenter

Noes – none

Abstain – none

Motion carried.

16. Resolution to add Sara Siegman and Roswell Sano to the active firemen rolls of Niagara Active Hose Fire Company. (Guiher)

Motion to approve by Councilman Carpenter second by Councilman Sirianni.

Ayes – Wallace, Teixeira, Sirianni, Gatto, Carpenter

Noes – none

Abstain – none

Motion carried.

TABLED

1. Discussion and update of the Town IDA. (Wallace)
2. Resolution to declare a negative declaration on the SEQRA for the final site plan for Expressway Village on 2740 Service Road Tax Map No. 145.10-3-15.(Haseley)
3. Resolution to approve the final site plan for Expressway Village on 2740 Service Road Tax Map No. 145.10-3-15.(Haseley)
4. Resolution to declare a negative declaration on the SEQRA for Final Site Plan request of William Payne, Payne's Plaza Tax map #145.0-16-001-005. Haseley)
5. Resolution to approve the Final Site Plan request of William Payne, Payne's Plaza Tax Map #145.016-001-005. (Haseley)

COMMENTS

Deputy Supervisor Teixeira is disheartened with the Land Conservancy and the misleading facts about purchase, we all should be thankful to go home where mother nature has not destroyed.

Councilman Sirianni, the Town Board supported the Land Conservancy, Greenway delayed the money, contract was on contingency of getting the money, \$126,000 will be returned to Greenway if the deal is not completed. Also, a great young man Daniel Koslicki passed away unexpectedly at 28 years old, a fireman with Niagara Active Hose Fire Company, a kind, wonderful person.

Town Clerk Virtuoso, Halloween Trick or Treat Hours are Saturday, October 31, 2020 4-7 pm. Optional to participate due to the COVID 19 pandemic.

Supervisor Wallace, the Decisions made during Covid 19 are foremost for the safety and welfare of our residents our job is to protect and is a hard but needed decision to cancel all events, very unfortunate for everyone. It is very sad and tragic about Dan, young man, life is precious, be kind.

ADJOURNMENT

Motion to adjourn by Councilman Teixeira, second by Councilman Carpenter. All in favor. Meeting adjourned at 7:03 pm.

Respectfully submitted,

Sylvia Virtuoso

Sylvia Virtuoso, Town Clerk

THE MONTHLY AGENDA IS ON THE TOWN WEBSITE

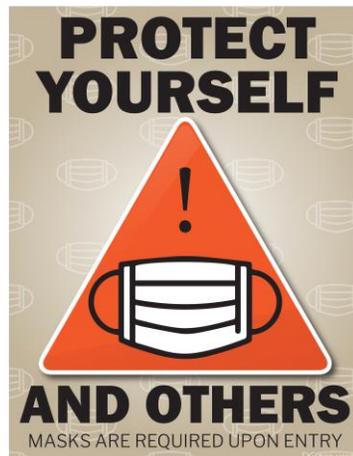
www.townofniagara.com



HALLOWEEN HOURS FOR TRICK OR TREAT

SATURDAY, OCTOBER 31, 2020

4PM-7PM



Mask required to enter Town Hall

TOWN OF NIAGARA

PROCLAMATION

- WHEREAS, pulmonary fibrosis is a serious disease that creates scarring (fibrosis) in the delicate lung tissue of affected patients causing progressive, incurable lung disease; and
- WHEREAS, pulmonary fibrosis progresses quickly, often causing limited quality of life, disability and/or death within a few short years; and
- WHEREAS, in many cases there is no identified cause of pulmonary fibrosis, which is referred to as idiopathic pulmonary fibrosis (IPF), and about 200,000 people in the United States are estimated to be affected by IPF; and
- WHEREAS, pulmonary fibrosis is often misdiagnosed and under diagnosed, and a need has been identified to increase wide-ranging awareness and detection of this imperceptible disorder; and
- WHEREAS, the Pulmonary Fibrosis Foundation will unify patients, caregivers, medical professionals, and the general public, by sharing and providing the latest information about advancements alongside all of the work still to be done within the global pulmonary fibrosis community; and
- WHEREAS, established in 2000, the Pulmonary Fibrosis Foundation is a nonprofit organization that maintains a global mission to serve as the trusted resource for the pulmonary fibrosis community by raising awareness, providing disease education, and funding research. The Foundation works diligently to foster conversations and collaboration between everyone affected by pulmonary fibrosis, including those living with the disease, caregivers, the medical and research community, and the pharmaceutical industry.

NOW, THEREFORE, I, LEE S. WALLACE OF THE TOWN OF NIAGARA, do hereby proclaim September 2020 to be GLOBAL PULMONARY FIBROSIS AWARENESS MONTH IN TOWN OF NIAGARA, and urge all community members to become informed and involved in the fight to eradicate this serious disease.

Dated this 22ND day of SEPTEMBER, 2020



In Memory
March 2020 - September 2020

Jeanette P. Alvarez 70

Robert J. Anstey 62

Gerald Barry 63

Cyril R. Clive 92

Helen I. (Hochadel) Cobb 87

Dawn C. (Voelker) Collins 82

Richard James Collins 83

Michael H. Conroy 69

John Czaplak 68

Dario C. D'Antuono 91

Pearl DeVantier 90

Marian Edith Falbo 94

Selma Hamilton 78

Cindy Sue Harding 53

Lisa Gail LaGreca 60

Anne K. Luciani 90

Kenneth P. Mills 57

Margaret A. Montagna 89

Remy A. (Rotella) Orlowski

Christopher T. Page 47

Ralph Palazzo 79

Debra A. (Delgobbo) Passero 60

Frank J. Phillips 90

Daniel M. Rafferty 70

Tammy L. (Squire) Rafter

Iona Irene Rickard 91

Alta M. Rimer 95

Yvonne Helen Rinallo 70

Marie C. Sansalone 90

Mary Catherine Slagel 70

John F. "Big John" Smith 68

Mary P. Toromino 96

Kandi Rae Vicki 48

Mary Jane Vrenegor 78

Doris H. (Hochadel) Wilkins 89

Frances (Margie) Yanulevich 95

Theresa (O'Neil) Campbell 84

Robert J. Moore 81

Ronald Socko 81

Anthony J. Moley 98

Rachel A. Pazzalia 79

Mary J. Lozina 78

Patrick J. Freeman 71

Patricia Ann Showers 65

Steven Amey

Wallace Blake

Former Town Councilman

(1996-2005)

My name is Kyle Schmelzle, this is Alexis Johnson.

We live on Miller Rd in the Town of Lewiston. I'd

like to address the private sale of 26 acres of land

on Miller Rd. We are the purchasers of this property. There

are a lot of rumors and misinformation being spread

through social media, newspapers and television about a

development being built on the property. We are here to

address the board that our intentions are to build a

single family dwelling and to farm the rest of the property

in the near future. Just like it was in the past. With

all the negative feedback we've been getting with rumors

of turning this property into a development, including

an incident when I drove past town councilman

Richard Sirianni's house and he flipped me the middle

finger, we decided to come here tonight to share our

plans. I was shocked to see a town board

members behave in such an unprofessional manner. I never thought the Town of Niagara Farmland Conservancy, who's mission statement even states on their website, and I quote "founded to preserve and protect the increasingly scarce open spaces that give our community the rural feel that we all love" end quote, would try and stop farmland from being used as just that, Farmland. We were accused of knowing someone with "pull" to be able to acquire this property. We don't know anyone that has "pull." This was a straight forward land purchase. We did nothing wrong. We saw a for sale sign and submitted a bid to the real estate agent not knowing anything about a nature preserve or park. I hope this clears the air, as you now know our TRUE intentions, and not the lies, slander and misinformation being spread elsewhere. If you have any questions, we'd be glad to answer them truthfully. Thank you for your time.