

**TOWN OF NIAGARA  
TOWN BOARD MEETING**

**Tuesday, May 24, 2022  
Town of Niagara Town Hall  
7105 Lockport Road**

Niagara Falls, NY 14305

**6:30 PM**

***WORK SESSIONS***

Wednesday, May 18, 2022 @ 6:30 pm

**MINUTES**

**PUBLIC HEARING**

**OPEN MEETING (Pledge, Roll Call)**

Supervisor Lee Wallace called the meeting to order with the Pledge of Allegiance.

Residents who passed away since our last meeting are Memorialized at the bottom of this Agenda.

**Roll Call:**

Present: Supervisor Lee S. Wallace, Deputy Supervisor Charles F. Teixeira, Councilman Richard A. Sirianni, Councilman Samuel Gatto, Councilman Marc M. Carpenter

Absent: None

Excused: None

Also, present Sylvia Virtuoso, Town Clerk

**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.  
(3-minute limit)

Linda Burge, 2471 Independence Avenue Niagara Falls, NY works at Empower very concerned about Amazon, the traffic, the noise, the pollution, safety for those at Empower.

Susan Haseley, 8900 Lockport Road, lives across from the site, encourages acceptance of the facility, will draw more business, jobs, etc. needed.

## **APPROVAL OF MINUTES**

### **1. Town Board Meeting of April 19, 2021**

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] \$36,323.62

General Fund vouchers [A] \$72,475.72

Sewer Fund prepay vouchers [G] \$1645.42

Sewer Fund vouchers [G] \$7,227.14

Water Fund vouchers [F] \$31,849.63

Water Fund vouchers prepay [F] \$547.88

Highway Fund vouchers [DA] \$5,296.18

Highway Fund prepay vouchers [DA] \$31.99

Fire Protection prepay vouchers [SF]

Fire Protection [SF] \$229.82

Street Lighting vouchers [SL] \$9,201.85

Street Lighting Pre-Pay vouchers [SL]

Trust & Agency Pre-Pay vouchers [TA]

Trust & Agency vouchers [TA] \$24,229.03

Capital Projects prepay vouchers [H]

Capital Projects vouchers [H] \$317,991.50

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

Ayes – Wallace, Teixeira, Sirianni, Gatto, Carpenter

Noes – none

Abstain – none

Motion carried.

## **AGENDA**

1. Resolution to post and hire 1 sewer and 1 water seasonal employees to work for the water and sewer department starting June 6, 2022 for a period of 12 weeks. (Beiter)

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

Ayes – Wallace, Teixeira, Sirianni, Gatto, Carpenter

Noes – none

Abstain – none

Motion carried.

2. Resolution to approve to send additional investment for Fireman's Service Award Program to SEI in the amount of \$45,632.00 as recommended by Penflex Actuarial audit.(Wallace)

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

Ayes – Wallace, Teixeira, Sirianni, Gatto, Carpenter

Noes – none

Abstain – none

Motion carried.

3. Resolution to declare a negative declaration on the associated SEQR for the minor subdivision/combination of lots rezoning request of Jonathon Staer, of Buchanan Ingersoll & Rooney, agent for McCormick 111, LLC, 7500 and 7510 Porter Road, Tax Map # 145.12-2-4 & 145.12-2-11. (Haseley)

Motion to approve by Councilman Sirianni second by Councilman Gatto.

Ayes – Wallace, Teixeira, Sirianni, Gatto, Carpenter

Noes – none

Abstain – none

Motion carried.

4. Resolution to approve the minor subdivision/combination of lots rezoning request of Jonathan Staer, of Buchanan Ingersoll & Rooney, Agent for McCormick 111, LLC, 7500 and 7510 Porter Road Tax Map #'s 145.12-2-4 and 145.12-2-11. (Haseley)

Motion to approve by Councilman Gatto, second by Councilman Sirianni.

Ayes – Wallace, Teixeira, Sirianni, Gatto, Carpenter

Noes – none

Abstain – none

Motion carried.

5. Resolution to declare a negative declaration on the associated SEQR for the combination of lots request of James Pittman of 8645 Third Avenue, Tax Map # 146.17-36, 46 & 47. (Haseley)

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

Ayes – Wallace, Teixeira, Sirianni, Gatto, Carpenter

Noes – none

Abstain – none

Motion carried.

6. Resolution to approve the combination of lots request of James Pittman of 8645 Third Avenue, Tax Map # 146.17-36, 46 & 47. (Haseley)

Motion to approve by Councilman Teixeira second by Councilman Gatto.

Ayes – Wallace, Teixeira, Sirianni, Gatto, Carpenter

Noes – none

Abstain – none

Motion carried.

7. Resolution to purchase materials to reseal manholes for I & I Mitigation work and to have USI company to reline manholes for I & I Mitigation work at a total of \$19,958.12 to be reimbursed by Niagara County Sewer District once work is completed and materials purchased. Money to be reimbursed under an I & I Mitigation Grant. (Beiter)

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

Ayes – Wallace, Teixeira, Sirianni, Gatto, Carpenter

Noes – none

Abstain – none

Motion carried.

8. Resolution to accept the 19<sup>th</sup> Annual Town of Niagara SWPPP Annual Report, for the report year ending on March 31<sup>st</sup> 2022, and authorize the required town dignitaries to sign the document and once duly signed be filed with the proper State agencies. (Haseley)

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

Ayes – Wallace, Teixeira, Sirianni, Gatto, Carpenter

Noes – none

Abstain – none

Motion carried.

9. Resolution to Approve the Agreement to Spend Town Highway Funds Supplement #1 2022 for Road repair Pursuant to the provisions of Section 284 of Highway Law in the amount of \$96,249.00. (Herman)

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

Ayes – Wallace, Teixeira, Sirianni, Gatto, Carpenter

Noes – none  
Abstain – none

Motion carried.

10. Resolution to declare a negative declaration on SEQRA for the special use permit renewal request of David Delagrange of Sturdi Built Sheds, 2540 Military Road/Tax Map # 145.15-2-6.1. (Haseley)

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

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

Motion carried.

11. Resolution to approve the special use permit renewal request of David Delagrange of Sturdi Built Sheds, 2540 Military Road Tax Map #145.15-1-6.1. (Haseley)

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

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

Motion carried.

12. Resolution to accept the resignation of Mr. Ed. Herman from the Planning Board effective April 29, 2022. (Wallace)

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

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

Motion carried.

13. Resolution to appoint Mr. Dennis Collins to the Planning Board effective April 30, 2022 to fill the vacancy created as a result of Mr. Ed Herman's resignation. Term ends December 31, 2025. (Wallace)

Motion to approve by Councilman Sirianni, second by Councilman Gatto.

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

Motion carried.

### **TABLED**

1. Resolution to purchase replacement ID Card unit from Linstar in the amount of \$6,494.00.00. (Suitor)
2. Resolution to approve the SEQRA determination of significance for the final site plan request to include the consolidation of lots of Phillips Lytle LLP, Agent for JB2 Partners, LLC, 8995 Lockport Road/Tax Map #132.18-1-2, #146.05-1 -9, #146.06-1 & 2. (Haseley)
3. Resolution on the final site plan request to include the consolidation of lots of Phillips Lytle LLP, Agent for JB2 Partners LLC 8995 Lockport Road/Tax Map #132.18-1-2, #146.05-1-9, #146.06-1 & 2. (Haseley)

### **COMMENTS**

Councilman Teixeira, pray for Buffalo and the lives lost in Texas School shooting, pray for the families. The World is one human race, I don't see positive change.

Councilman Sirianni, echoes Councilman Teixeira, was on the phone with the School Board NW is getting extra police protection, Thanks Ed Herman and welcomes Dennis Collins.

Councilman Gatto, echoes Councilman Teixeira, terrible world right now.

Councilman Carpenter, echoes Councilman Teixeira as well, thanks Ed Herman for his years of service.

### **ADJOURNMENT**

Motion to adjourn by Councilman Carpenter second by Councilman Sirianni. All in favor. Meeting adjourned at 6:55 pm.

**Respectfully submitted,**

*Sylvia Virtuoso*

**Sylvia Virtuoso, Town Clerk**

**THE MONTHLY AGENDA IS ON THE TOWN WEBSITE**

**[www.townofniagara.com](http://www.townofniagara.com)**

**IN MEMORIAM**

**Daniel P. Meacham Sr.**

**John J. Belkota**

**John M. Ayers**

**Elaine A. Meacham**

**Ellen Marie Fanelli**