

**TOWN OF NIAGARA  
TOWN BOARD MEETING  
7105 Lockport Road  
Niagara Falls, NY 14305**

**MINUTES**

**Tuesday, February 20, 2024  
6:30 PM**

**PUBLIC HEARING**

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

Supervisor Sylvia Virtuoso called the meeting to order with the Pledge of Allegiance. Councilman Teixeira recited a prayer. Attached is a Memorial Page of all the deceased Town residents who passed away recently.

Roll Call:

Present: Supervisor Sylvia Virtuoso, Deputy Supervisor Marc Carpenter, Councilman Mike Lee, Councilman Johnny Parks, Councilman Charles Teixeira

Absent:

Excused:

Also, present Melissa Cerrillo, 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)

Deanna Hyche of the Broadway Group, Discussed the Tim Horton's and Dollar General project for Lockport Road. Stating all information has been handed in and done so in a timely manner. Asked what the review process for Planning and Zoning Boards.

Neal DeVantier of 2709 Lockport Road was here to read a letter from his parents (Calvin & Pat Pfohl) who own the property and have farmed it for over 70 years. They are in their 80's and were glad to get the opportunity to have someone develop a portion of the property. They would like to see both reputable businesses be able to get approved and moved forward so they can move forward with their life plans.

Debbie Bolants of 8400 Effie Drive spoke about the flooding on her street. Last time this happened was 20 years ago. With the recent flood she wasn't able to leave her house, shower, flush her toilets, or do laundry for 24 hours. She read a text message from Mike Thompson stating his life was impacted for a full 24 hours also. Stated last time she was here to complain about this, Steve Richards looked into it.

Paula Wojtowicz of 1850 Tuscarora road gave compliments to the Town for the initiative they took during the flood. She said Rick Sirianni was very responsive when she reached out. Water Keepers is a great project, but sometimes they have miss information. She stated that there are grants available, money is available to help.

Mark Romenowski of the Broadway Group stated he believes they provided all the information required and in a timely manner. The DPW looked at the roads, the county signed off on the septic system, and they responded to the Air Base. They are looking forward to seeing us in March for the next meeting and they will provide any other information that we need. All the back and forth gets them anxious and they are just looking forward to be able to start the project.

### **APPROVAL OF MINUTES**

Town Board Meeting of January 16, 2024

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

Ayes – Virtuoso, Carpenter, Lee, Parks, Teixeira

Noes – none

Abstain – none

Motion carried.

### **PAYMENT OF BILLS**

General Fund Pre-Pay vouchers [A] \$77,974.14

General Fund vouchers [A] \$160,454.32

Sewer Fund Pre-Pay vouchers [G] \$8,253.56

Sewer Fund vouchers [G] \$7,439.11

Water Fund Pre-Pay vouchers [F] \$3,292.11

Water Fund vouchers [F] \$18,487.10

Highway Fund Pre-Pay vouchers [DA] \$28,454.74

Highway Fund vouchers [DA] \$46,365.84

Fire Protection Pre-Pay vouchers [SF]

Fire Protection vouchers [SF] \$48,745.84

Street Lighting Pre-Pay vouchers [SL] \$15,174.69

Street Lighting vouchers [SL]

Trust & Agency Pre-Pay vouchers [TA] \$9,975.38

Trust & Agency vouchers [TA]

Capital Projects Pre-Pay [H] \$24,208.29

Capital Projects vouchers [H] \$185,804.26

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

Ayes – Virtuoso, Carpenter, Lee, Parks, Teixeira

Noes – none

Abstain – none

Motion carried.

### **AGENDA**

1. Resolution to approve the letter of engagement with Municipal Solutions Financial Advisors for Grant Writing (Virtuoso)

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

Ayes – Virtuoso, Carpenter, Lee, Parks, Teixeira

Noes – none

Abstain – none

Motion carried.

2. Resolution to hire Patrick Ciccarelli as a PT Code Enforcement Officer/Deputy Building Inspector as budgeted in the 2024 Budget hereby authorizing to exercise all powers and fulfillment conferred upon the Code Enforcement Officer duties pursuant to §155. (Virtuoso)

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

Ayes – Virtuoso, Carpenter, Lee, Parks, Teixeira

Noes – none

Abstain – none

Motion carried.

3. Resolution to raise the standard mileage rate for 2024 to \$0.67 per mile as issued by the Internal Revenue Service. (Virtuoso)

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

Ayes – Virtuoso, Carpenter, Lee, Parks, Teixeira

Noes – none

Abstain – none

Motion carried.

4. Resolution to approve the Annual Special-Use Permit renewal requests of Schlaak 2545 Young Street Niagara Falls NY 14304, Tax map #145.12.2-3 (Haseley)

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

Ayes – Virtuoso, Carpenter, Lee, Parks, Teixeira

Noes – none

Abstain – none

Motion carried.

5. Resolution to approve the following amendments to the 2024 Budget as a result of MOA extending wages to 2025 made after the Budget was approved. (Siegmann)

Increase:

G2120 Sewer Rents	7,312.00
-------------------	----------

Increase:

G8110.01 Admin Payroll	3,513.00
------------------------	----------

G8120.01 Sanitary Sewer Payroll	3,799.00
---------------------------------	----------

Motion to approve by Councilman Lee, second by Councilman Carpenter

Ayes – Virtuoso, Carpenter, Lee, Parks, Teixeira

Noes – none

Abstain – none

Motion carried.

6. Resolution to adopt the following amendments to the 2024 Budget as a result of MOA extending wages to 2025 made after the Budget was approved. (Siegmann)

Increase:

F2401 Interest Earning 6,626.50

Increase:

F8310.01 Admin Payroll 1,621.50

F8340.01 T&D Payroll 5,005.00

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

Ayes – Virtuoso, Carpenter, Lee, Parks, Teixeira

Noes – none

Abstain – none

Motion carried.

7. Resolution to adopt the following amendments to the 2024 Budget as a result of MOA extending wages to 2025 made after the Budget was approved. (Siegmann)

Increase:

DA1120 Non-Property Tax 10,857.00

Increase:

DA5110.01 General Repairs Payroll 4,234.31

DA5112.01 Improvements Payroll 325.72

DA5130.01 Machinery Payroll 1,411.44

DA5140.01 Miscellaneous Payroll 3,040.02

DA5142.01 Snow Removal Payroll 1,737.15

DA5148.01 Services Other Govt Payroll 108.57

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

Ayes – Virtuoso, Carpenter, Lee, Parks, Teixeira

Noes – none

Abstain – none

Motion carried.

8. Resolution to adopt the following amendments to the 2024 Budget as a result of MOA extending wages to 2025 made after the Budget was approved. (Siegmann)

Increase:

A1120 SALES TAX 25,593.50

Increase:

A1010.01 Town Board Payroll 932.00

A1110.01 Town Justice Payroll 4,656.00

A1220.04 Supervisor Payroll 3,585.00

A1355.01 Assessor Payroll 1,491.00

A1410.01 Town Clerk Payroll 2,381.00

A1620.01 Town Hall Payroll 1,227.00

A3620.01 Safety Insp Payroll 2,954.50

A5010.01 Highway Super Payroll 2,500.00  
A7110.01 Parks Payroll 5,867.00

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

Ayes – Virtuoso, Carpenter, Lee, Parks, Teixeira  
Noes – none  
Abstain – none

Motion carried.

9. Resolution to accept the resignation of Dennis Collins as Planning Board Member effective immediately. (Virtuoso)

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

Ayes – Virtuoso, Carpenter, Lee, Parks, Teixeira  
Noes – none  
Abstain – none

Motion carried.

10. Resolution to appoint Darleen Sullivan as Planning Board member to fill the position that expires 12/2024. (Virtuoso)

Motion to approve by Councilman Carpenter, second by Councilman Teixeira

Ayes – Virtuoso, Carpenter, Lee, Parks, Teixeira  
Noes – none  
Abstain – none

Motion carried.

11. Resolution to purchase 2 Dodge Ram Pickups from Chrysler Capital for the price not to exceed \$26,000.00 each. There are leased trucks that are expiring in March of 2024. Funding from American Rescue Funds and Sewer Equipment Fund. (Beiter)

Motion to approve by Councilman Carpenter, second by Councilman Lee

Ayes – Virtuoso, Carpenter, Lee, Parks, Teixeira  
Noes – none  
Abstain – none

Motion carried.

12. Resolution to close Town Hall at 12 pm for the Eclipse on April 8, 2024 following suit of other Municipalities and School Districts. (Virtuoso)

Motion to approve by Councilman Parks second by Councilman Teixeira

Ayes – Virtuoso, Carpenter, Lee, Parks, Teixeira  
Noes – none  
Abstain – none

Motion carried.

13. Resolution to approve the Annual Special-Use Permit renewal request of James Runkle 4610 Theresa Lane. Tax Map #131.11-1-79. (Haseley)

Motion to approve by Councilman Teixeira second by Councilman Parks

Ayes – Virtuoso, Carpenter, Lee, Parks, Teixeira

Noes – none  
Abstain – none

Motion carried.

14. Resolution to send out notices waiving the current January 2024 storm invoices, returning paid invoices and notifying them of the law in description of cost etc rather than just state the code and note that this will be fully enforced after February 20, 2024 if any storms should occur and the law is being reviewed for future. (Sirianni)

Motion to approve by Councilman Carpenter second by Councilman Parks

Ayes – Virtuoso, Carpenter, Lee, Parks, Teixeira  
Noes – none  
Abstain – none

Motion carried.

15. Resolution to dissolve the Town of Niagara Special Police and remover all members from active rolls. Effective date of dissolution will be January 1<sup>st</sup>, 2024.

Motion to approve by Councilman Teixeira second by Councilman Parks

Ayes – Virtuoso, Carpenter, Lee, Parks, Teixeira  
Noes – none  
Abstain – none

Motion carried.

### **TABLED**

1. Discussion on replacement of two leased 2019 Ford Explorers and purchasing a 2024 Explorer or Durango. (Guiliani)
2. Discussion to pay a \$1,000.00 a year stipend to Water & Sewer Dept. workers that hold and maintain a Grade D (or higher) Water Distribution System Operator Certification thru New York State Dept. of Health and Niagara County Dept. of Health. (Beiter)

### **COMMENTS**

At this time, none of the councilmembers had any comments. Supervisor Sylvia Virtuoso mentioned this past few days there were 4 deaths of town residents, an 85 year old resident hit by a car, in critical care and a family that lost their home to a fire this morning. If we could keep their families, our first responders, and all of our town residents in your prayers.

Motion to adjourn by Councilman Teixeira, second by Councilman Carpenter. All in favor. Meeting adjourned at 7:10pm.

Respectfully submitted,

*Melissa Cerrillo*

Melissa Cerrillo  
Town Clerk

THE MONTHLY AGENDA IS ON THE TOWN WEBSITE  
[www.townofniagara.com](http://www.townofniagara.com)

In Memoriam

**Stacey L. Houseman**

**Gregory J. Vlasow**

**Maria C. Rossi**

**Anthony A. Valenza**

**Vivian E. LeBlanc**

**Keldon D. Curry**

**Dolores E. Aughtmon**

- CORNER OF TUSCARORA + LOCKPORT RD  
- I'm HERE WITH MY WIFE + SISTER IN LAW BROTHER IN LAW

My family and I have been farming this property for over 70 years. My wife and I are in our 80's. We were glad to get the opportunity to develop a portion of this property. In the last year we have gotten very frustrated by all the delays and roadblocks. We have seen much larger projects get approved with community opposition.

The proposed development has had no community opposition. The two proposed businesses are both reputable businesses. I would like to see businesses that are good for the community. These many delays have made it difficult for our family to move forward with future plans.

Thank you for your consideration.

Calvin & Pat Pfohl

WE BELIEVE ALL THE  
~~ALL THE~~ STUDYS + QUESTION HAVE  
BEEN ANSWERED