

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

**MINUTES**

**Tuesday, August 20<sup>th</sup> 2024  
6:30 PM**

**PUBLIC HEARING**

**OPEN MEETING (Pledge, Prayer, Roll Call) @6:30pm**

*(Residents who passed away since our last meeting are Memorialized at the end of this Agenda)*

Supervisor Sylvia Virtuoso called the meeting to order with the Pledge of Allegiance.

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)*

**APPROVAL OF MINUTES**

1. Town Board Meeting of July 16th, 2024

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

Ayes – Virtuoso, Carpenter, Lee, Parks, Teixeira

Noes – none

Abstain – none

Motion carried.

**PAYMENT OF THE BILLS**

General Fund Pre-Pay vouchers [A] \$30,695.87

General Fund vouchers [A] \$71,945.06

Sewer Fund Pre-Pay vouchers [G] \$1,685.77

Sewer Fund vouchers [G] \$161,080.47  
Water Fund Pre-Pay vouchers [F] \$175.30  
Water Fund vouchers [F] \$17,361.61  
Highway Fund Pre-Pay vouchers [DA] \$0  
Highway Fund vouchers [DA] \$16,125.12  
Fire Protection Pre-Pay vouchers [SF] \$0  
Fire Protection vouchers [SF] \$112.66  
Street Lighting Pre-Pay vouchers [SL] \$6,256.31  
Street Lighting vouchers [SL] \$0  
Trust & Agency Pre-Pay vouchers [TA] \$28,043.27  
Trust & Agency vouchers [TA] \$30,610.25  
Capital Projects Pre-Pay [H] \$0  
Capital Projects vouchers [H] \$16,015.50

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

Ayes – Virtuoso, Carpenter, Lee, Parks, Teixeira

Noes – none

Abstain – none

Motion carried.

## **AGENDA**

1. Resolution to replace the concrete aprons on garages and catch basins in the Town Parking Lot all work to be done by Town Employees. (Sirianni)

Motion to approve by Councilman Lee second by Councilman Carpenter.

Ayes – Virtuoso, Carpenter, Lee, Parks,

Noes – Teixeira

Abstain – none

Motion carried.

2. Resolution to hire GAR Associates LLC for Digital Photos as the Re-assessment process continues at a cost of \$17,500.00. (Bird)

Motion to approve by Councilman Teixeira second by Councilman Parks.

Ayes – Virtuoso, Carpenter, Lee, Parks

Noes – Teixeira

Abstain – none

Motion carried.

3. Resolution to appoint Judy Villani, Stephanie Tobey and Janet Edwards to the Town of Niagara Board of Ethics. (Virtuoso)

Motion to approve by Councilman Carpenter second by Councilman Teixeira

Ayes – Virtuoso, Carpenter, Lee, Parks, Teixeira

Noes – none  
Abstain – none

Motion carried.

4. Resolution to approve the Adjusted Base Proportions for the 2025 Tax Levy. (Bird)

Motion to approve by Councilman Teixeira second by Councilman Parks.

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

Motion carried.

5. Resolution to schedule a public hearing on September 17, 2024 at 6:30pm to consider passage of Local Law No. 2024-4 adopting a one-year moratorium on Cryptocurrency Mining, Data Processing Centers, and Battery Energy Storage Systems in the Town of Niagara, which may be extended in increments up to six months for a total of two years by resolution of the Town Board. (Risman)

Motion to approve by Councilman Carpenter second by Councilman Parks.

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

Motion carried.

- 6 Resolution to acknowledge the Town Building Inspectors notice of a health hazard existing at 8204 Richmond Ave., and the failure by the owner of 8204 Richmond Ave. upon written notice to eliminate the same. Whereas, it is further hereby authorized that the appropriate Town departments/designee with the aid of the Town Attorney proceed with the elimination of said health hazard. Accurate account of all expenses to include but not limited to labor cost equipment, materials used, and attorney fees shall be collected in the manner provided for in sect: 178-17C of the Town of Niagara Code. (Haseley)

Motion to approve by Councilman Teixeira second by Councilman Parks.

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

Motion carried.

- 7 Resoultion to approve the annual Special-Use Permit renewal requests of:  
Mr. Tire 1715 Military Road 161.05-1-2  
LJ Hair Design 8310 Lockport Road 132.17-1-9  
SAI Group 1900 Military Road 145.20-1-15  
George Satarian 4250 Witmer Road 130.15-4-2  
Expressway Village 2740 Service Road 145.10-3-15

Kachs Auto Service 4800 Witmer Road 130.15-2-45

(Haseley)

Motion to approve by Councilman Carpenter second by Councilman Lee.

Ayes – Virtuoso, Carpenter, Lee, Parks, Teixeira

Noes – none

Abstain – none

Motion carried.

8. Resolution to accept the resignation of Jason J. Cafarella, Esq. as Town Prosecutor effective August 31, 2024. (Virtuoso)

Motion to approve by Councilman Parks second by Councilman Teixeira.

Ayes – Virtuoso, Carpenter, Lee, Parks, Teixeira

Noes – none

Abstain – none

Motion carried.

9. Resolution to appoint Michael E. Benedict, Esq. as Town Prosecutor effective September 1, 2024. (Virtuoso)

Motion to approve by Councilman Teixeira second by Councilman Lee.

Ayes – Virtuoso, Carpenter, Lee, Parks, Teixeira

Noes – none

Abstain – none

Motion carried.

10. Resolution to approve a conditional offer of full-time employment to Michael Sheehan as a full-time police officer following all PPA Act requirements and assigning him to the Niagara County Law Enforcement Academies 83<sup>rd</sup> session which commences on September 3<sup>rd</sup>, 2024. (Guiliani)

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 approve a conditional offer of full-time employment to Evan Volmrich as a full-time police officer following all PPA Act requirements and assigning him to the Niagara County Law Enforcement Academies 83<sup>rd</sup> session which commences on September 3<sup>rd</sup>, 2024. (Guiliani)

Motion to approve by Councilman Teixeira second by Councilman Lee.

Ayes – Virtuoso, Carpenter, Lee, Parks, Teixeira

Noes – none  
Abstain – none

Motion carried.

12. Resolution to set the non-refundable application fee/s for required Development in a Flood Plain permits administered through the Town of Niagara Department of Inspections as follows:

<u>Districts/Use</u>	<u>Fee</u>
<u>Residential-----</u>	<u>\$250.00</u>
<u>Commercial-----</u>	<u>\$300.00</u>
<u>Industrial-----</u>	<u>\$500.00</u>

(Haseley)

Motion to approve by Councilman Teixeira second by Councilman Parks.

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

Motion carried.

13. Resolution to participate in the Solar Simplified program. (Virtuoso)

Motion to approve by Councilman Carpenter second by Councilman Lee.

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

Motion carried.

14. Resolution to conditionally approve Haylei Till as a full-time police officer pending all PPA requirements and assigning her to the Niagara County Law Enforcement Academy starting on September 3<sup>rd</sup>, 2024. (Guiliani)

Motion to approve by Councilman Teixeira second by Councilman Parks.

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

Motion carried.

15. Resolution granting a service easement to national Grid in order to install power lines and a telephone pole to add power to the pole barn on the north east side of the property. (Sirianni)

Motion to approve by Councilman Carpenter second by Councilman Parks.

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

Motion carried.

16. Resolution to accept the resignation/retirement of Captain Jeff Spears as a full-time police officer effective 8/15/2024. (Guiliani)

Motion to approve by Councilman Carpenter second by Councilman Teixeira.

Ayes – Virtuoso, Carpenter, Lee, Parks, Teixeira

Noes – none

Abstain – none

Motion carried.

17. Resolution to hire Denise M. Scheuer as Judge Restaino’s appointed Justice Clerk with a start date of September 3, 2024 and to have Lisa A. Restaino fill the current part-time clerk position. (Restaino)

Motion to approve by Councilman Teixeira second by Councilman Carpenter.

Ayes – Virtuoso, Carpenter, Lee, Parks, Teixeira

Noes – none

Abstain – none

Motion carried.

18. Resolution to accept the resignation of Austin Sauer as a full-time police officer effective 8/1/2024. (Guiliani)

Motion to approve by Councilman Teixeira second by Councilman Parks.

Ayes – Virtuoso, Carpenter, Lee, Parks, Teixeira

Noes – none

Abstain – none

Motion carried.

19. Resolution to spend Town Highway funds Supplement #2-2024 for the sum of \$75,000.00. (Sirianni)

Motion to approve by Councilman Carpenter second by Councilman Lee.

Ayes – Virtuoso, Carpenter, Lee, Parks, Teixeira

Noes – none

Abstain – none

Motion carried.

20. Resolution to accept the immediate resignation of Police Officer Kevin P. Gruarin from the Town of Niagara Police Department effective 08/16/2024 (Guiliani)

Motion to approve by Councilman Teixeira second by Councilman Carpenter.

Ayes – Virtuoso, Carpenter, Lee, Parks, Teixeira

Noes – none

Abstain – none

**TABLED**

**COMMENTS**

**Councilman Lee welcomed and congratulated the 3 new Police hires, mentioned what a great career this is and that he will see them all at the academy. Councilman Carpenter also welcomed the 3 new hires, and wishes them all the best. He thanked Rick Sirianni for the great job on Military Road getting rid of all the weeds and cleaning it up. Councilman Teixeira thanked Jeff Spears for all his years of service to the Town. He congratulated the new officers and told them that he prays for God's protection while they work. Councilman Parks said he knows the new Police Officers will do a great job and thanked them for protecting our community. Supervisor Virtuoso thanked Jeff Spears for all of his years of service and wished him a happy and healthy retirement. She welcomed the new Police hires, wishing them the best of luck and a long and safe career. Supervisor Virtuoso also welcomed the new members of the Board of Ethics.**

**ADJOURNMENTS**

**Motion to adjourn by Councilman Carpenter, second by Councilman Teixeira. All in favor.  
Meeting Adjourned at 6:48pm.**

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

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

**In Memoriam**

**Barbara J. Bellanca**

**Natalie Certo**

**Emery W. Finley**

**Robin J. Kula**

**Richard E. McNally**

**Angelo V. Onevelo**

**Paul Gaughan**

**Amanda Krautz**