

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

MINUTES

Tuesday, September 17th 2024

6:30 PM

PUBLIC HEARING

1. To consider proposed adoption of Local Law No. 2024-4 adopting a one-year moratorium on Cryptocurrency Mining, Data Processing Centers and Battery Energy 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.

Open - 6:30pm

Closed - 6:30pm

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

Absent:

Excused: Councilman Charles Teixeira

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)

Gunwant Sodhi of 9701 Porter Road spoke about the neighboring properties that have overgrown grass and weeds that cover and are growing through his fence. He said that the Town set the owners notices on 08/14/2024 and still to date the issues have not been taken care of. He asks the Town to step in and cut the weeds/grass.

APPROVAL OF MINUTES

1. Town Board Meeting of August 20th, 2024

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

Ayes – Virtuoso, Carpenter, Lee, Parks

Noes – none
Abstain – none

Motion carried.

PAYMENT OF THE BILLS

General Fund Pre-Pay vouchers [A] \$86,823.66
General Fund vouchers [A] \$105,021.05
Sewer Fund Pre-Pay vouchers [G] \$4,445.53
Sewer Fund vouchers [G] \$12,841.71
Water Fund Pre-Pay vouchers [F] \$2,877.24
Water Fund vouchers [F] \$3,713.35
Highway Fund Pre-Pay vouchers [DA] \$20,234.86
Highway Fund vouchers [DA] \$112,095.66
Fire Protection Pre-Pay vouchers [SF] \$
Fire Protection vouchers [SF] \$109.70
Street Lighting Pre-Pay vouchers [SL] \$
Street Lighting vouchers [SL] \$
Trust & Agency Pre-Pay vouchers [TA] \$43,847.55
Trust & Agency vouchers [TA] \$1,690.49
Capital Projects Pre-Pay [H] \$
Capital Projects vouchers [H] \$13,085.05

Motion to approve by Councilman Carpenter, second by Councilman Parks.
Ayes – Virtuoso, Carpenter, Lee, Parks
Noes – none
Abstain – none

Motion carried.

AGENDA

1. Resolution to adopt proposed 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,
Noes – none
Abstain – none

Motion carried.

2. Resolution to authorize the Town Supervisor to accept the proposal from Ingalls Planning & Design for updating the Zoning Code of the Town of Niagara at a cost not to exceed \$60,000. (Auerbach)

Motion to approve by Councilman Parks second by Councilman Lee.

Ayes –Virtuoso, Carpenter, Lee, Parks

Noes – none

Abstain – none

Motion carried.

3. Resolution to promote Officer James H. Bissell III to provisional Lieutenant pending the results of the civil service exam. (Guiliani)

Motion to approve by Councilman Lee second by Councilman Carpenter

Ayes – Virtuoso, Carpenter, Lee, Parks

Noes – none

Abstain – none

Motion carried.

4. Resolution to promote Lt. Kellie Aderman to provisional Captain pending the outcome of the civil service exam on November 9th, 2024. (Guiliani)

Motion to approve by Councilman Carpenter second by Councilman Lee.

Ayes – Virtuoso, Carpenter, Lee, Parks

Noes – none

Abstain – none

Motion carried.

5. Resolution to hire Larry Weibert as a part-time police officer. (Guiliani)

Motion to approve by Councilman Parks second by Councilman Lee.

Ayes – Virtuoso, Carpenter, Lee, Parks

Noes – none

Abstain – none

Motion carried.

6. Resolution to acknowledge the Town Building Inspectors notice of a health hazard existing at 7400 Porter Rd. (Tax Map#145.12-1-19), and the failure by the owner of 7400 Porter Rd. 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 Parks second by Councilman Lee.

Ayes – Virtuoso, Carpenter, Lee, Parks

Noes – none

Abstain – none

Motion carried.

7 Resolution to approve the annual Special-Use Permit renewal requests of:

-Pages Automotive 3700 Military Rd. 144.27-2-374

-Airosmith Dev. Verizon 7105 Lockport Rd. 131.19-1-17/CT1

-Airosmith Dev. AT&T 3800 Military Rd. 131.18-1-2/CT1

Motion to approve by Councilman Lee second by Councilman Carpenter.

Ayes – Virtuoso, Carpenter, Lee, Parks

Noes – none

Abstain – none

Motion carried.

8. Resolution to accept the resignation of Michael Thurston as Assistant Building Inspector effective September 13, 2024. (Virtuoso)

Motion to approve by Councilman Lee second by Councilman Carpenter.

Ayes – Virtuoso, Carpenter, Lee, Parks

Noes – none

Abstain – none

Motion carried.

9. Resolution to hire Joseph P. Vaccarella as full-time Assistant Building Inspector effective retroactive to September 16, 2024. Joseph is a non-resident, whereas he is experienced and certified as an Assistant Building Inspector. The Civil Service list was reviewed with both candidates on it and there were none that had Joseph's experience and certifications. (Virtuoso)

Motion to approve by Councilman Carpenter second by Councilman Parks.

Ayes – Virtuoso, Carpenter, Lee, Parks

Noes – none

Abstain – none

Motion carried.

10. Resolution to call for a Public Hearing on October 15, 2024 to review the 2025 Tentative Town Budget. (Virtuoso)

Motion to approve by Councilman Carpenter second by Councilman Lee.

Ayes – Virtuoso, Carpenter, Lee, Parks

Noes – none

Abstain – none

Motion carried.

11. Resolution to declare a State of Emergency for the Sewer Line replacement on Military Road and emergency hire of contractor Mark Cerrone, Inc. for the repairs according to the prevailing wages on a time and material basis. (Virtuoso)

Motion to approve by Councilman Parks second by Councilman Carpenter.

Ayes – Virtuoso, Carpenter, Lee, Parks

Noes – none

Abstain – none

Motion carried.

TABLED

COMMENTS

Councilmen Lee and Carpenter both welcomed Joe Vaccarella into the full-time Assistant Building Inspector position, and they congratulated Kellie and James on their advancement.

Councilman Parks thanked Kellie for her years of service and welcomed her into her new position as Captain and he knows she will take the other officers under her wing.

Supervisor Virtuoso congratulated both the officers on their advancements, she is very proud of them for all of their hard work and dedication. She thanked Chief Guiliani on the great team he has put together.

ADJOURNMENTS

**Motion to adjourn by Councilman Carpenter, second by Councilman Parks. All in favor.
Meeting Adjourned at 6:49pm.**

THE MONTHLY AGENDA IS ON THE TOWN WEBSITE

www.townofniagara.com

In Memoriam

Gloria Chiasera

John P. Cipolla

Robert LaBarbera

Melvin W. Wise

