

TOWN OF NIAGARA
COUNTY OF NIAGARA, STATE OF NEW YORK

7105 LOCKPORT ROAD
NIAGARA FALLS, NEW YORK 14305



PHONE 716.297.2150
FAX 716.297.9262

TOWN BOARD REGULAR MEETING
November 19th, 2024 @ 6:30PM
AGENDA

WORK SESSION

Wednesday November 13th, 2024 @ 6:30 PM

PUBLIC HEARING

OPEN MEETING (Pledge, Prayer, Roll Call)

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

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 October 15th, 2024

PAYMENT OF THE BILLS

General Fund Pre-Pay vouchers [A] \$
General Fund vouchers [A] \$
Sewer Fund Pre-Pay vouchers [G] \$
Sewer Fund vouchers [G] \$
Water Fund Pre-Pay vouchers [F] \$
Water Fund vouchers [F] \$
Highway Fund Pre-Pay vouchers [DA] \$
Highway Fund vouchers [DA] \$
Fire Protection Pre-Pay vouchers [SF] \$
Fire Protection vouchers [SF] \$
Street Lighting Pre-Pay vouchers [SL] \$
Street Lighting vouchers [SL] \$
Trust & Agency Pre-Pay vouchers [TA] \$
Trust & Agency vouchers [TA] \$
Capital Projects Pre-Pay [H] \$
Capital Projects vouchers [H] \$

AGENDA

1. Presentation from Paws Inn the Falls animal complex. (Virtuoso)

Friday, November 1, 2024

2. Discussion with Tom Tierney on his Community Garden plan. (Virtuoso)
3. Resolution to approve the support for the Town of Niagara to be eligible for grant funding under Round 9 of the Restore NY Communities Initiative Municipal Grant Program. (Virtuoso)
4. Resolution to remove the actual dollar amount only of the Meter/Utility Fee as listed in Chapter 200 Sewers under Attachment 1:2 (Beiter)
5. Resolution to remove the actual dollar amounts for the water and sewer rates listed under Town Code Chapter 135-121 Appendix 1 Permit Fees and Use Charges under B(1) (a) and (b)

Remove:

Under B (1) pursuant to the following rates

Replace with:

B (1) Metered water service. There shall be a charge for all metered water usage complied quarterly to include a utility fee. Please see Town of Niagara Water Dept. for list of current water and sewer rates

Also, remove the information and tables (a) and (b) and remove under 135-121 B-1-(b) "Said rate shall be set by order of the Town Board after a public hearing". (Beiter)

6. Resolution to remove the water and sewer rate amounts in the Town Code under Chapter 200-13 Sewers-200 Attachment 1-A and B and word as follows:

Please contact Town of Niagara Water Dept. for a list of current water and sewer rates. (Beiter)

7. Resolution to adopt the new water rates and to adjust the utility fee as approved in the 2025 Water and Sewer budget starting January 1st, 2025. (Beiter)
8. Resolution to do a inter departmental upgrade for Aaron Moore to MEO. He meets the requirements for this position and has acquired his CDL class B license. (Beiter)
9. Resolution to approve Local adjustments to the adjusted base proportions as per Subsection 1903-4 (c) of the Real Property Tax Law. (Beiter)

Water District -	Homestead	37.46880
	Non-Homestead	62.53120
Town District -	Homestead	41.34468
	Non-Homestead	58.65533

10. Resolution to declare a negative declaration on the associated SEQR for the Special-Use permit request of Gregory Clark of All Purpose Tint and Accessories to operate a motor vehicle garage from the facility known as 8525 Porter Rd. Tax Map #'s 146.13-1-10 and 146.13-1-11

- (Haseley)
11. Resolution to approve the Special-Use permit request of Gregory Clark of All Purpose Tint and Accessories to operate a motor vehicle garage from the facility known as 8525 Porter Rd. contingent upon no noise is generated from the facility of which due to its intensity and or duration disturbs the sensibilities of the residence in the adjacent residential properties. Tax map #'s 146.13-1-10 and 146.13-1-11. Permit shall expire one year from date of approval and may be renewed upon filing a written request and further review and approval from the Town board. (Haseley)
 12. Discussion on resolution to purchase a 35 HP Kubota Tractor, not to exceed \$49,200 with snow blower, lawn deck and bush hog attachments as per 2025 budget. Not to be paid before the January 2025 budget is in place. (Sirianni)

TABLED

COMMENTS

ADJOURNMENTS

THE MONTHLY AGENDA IS ON THE TOWN WEBSITE

www.townofniagara.com

In Memoriam

WHEREAS, the Town of Niagara is eligible for grant funding under Round 9 of the Restore NY Communities Initiative Municipal Grant Program, and

WHEREAS, the Town of Niagara has considered projects available for submission and selected 3505 Hyde Park to be included on an application that will be submitted to Empire State Development corporation (ESDC) as follows:

Redevelopment of 3505 Hyde Park Blvd. The Project will enable the demolition and removal of one blighted structure on the southern portion of the parcel, and the redevelopment of the other existing building.

WHEREAS, this project is consistent with all existing local plans, the proposed financing is appropriate for the project, the project will facilitate effective and efficient use of existing and future public resources so as to promote both economic development and preservation of community resources and the project develops and enhances infrastructure and/or other facilities in a manner that will attract, create and sustain employment opportunities in the Town of Niagara, and

NOW THEREFORE BE IT RESOLVED, that the council for the Town of Niagara hereby supports and will sponsor an application for Restore NY funding for 3505 Hyde Park and will work with the County of Niagara to administer the grant in accordance with all applicable rules and regulations established by ESDC, and

BE IT FURTHER RESOLVED, that the Town Supervisor is authorized to sign the applications and any agreements required by ESDC for grant funding that results from the application, and

BE IT FURTHER RESOLVED, that the Town of Niagara shall conduct a public hearing to obtain citizens views and comments relative to the submission of an application to Empire State Development for financial assistance under the Restore NY Communities Initiative. This public hearing will take place at the Town of Niagara Town Hall, located at 7105 Lockport Road, Niagara Falls, NY 14305 on the 17th day of December, 2024 at 6:30 pm.; and be it further,

RESOLVED that the Clerk for the Town of Niagara, at least three consecutive days in advance of such hearing, shall post a notice upon the bulletin boards in the Courthouse at the Town of Niagara and shall publish such notice for three consecutive days in the Niagara Gazette.



RECEIVED

SEP 10 2024

TOWN OF NIAGARA
TOWN CLERK

AGENDA SUBMITTAL

ALL AGENDA ITEMS MUST BE SUBMITTED TO THE TOWN CLERK
BY THE
LAST WORK DAY OF THE MONTH BEFORE 12 P.M.

DATE: October 2024
TO: Town Board
FROM: Sylvia Virtuoso
DEPARTMENT: Supervisor

Type or print agenda item in box below:

Discussion with Tom Tierney on his Community Garden plan.

ANY EXCEPTIONS MUST BE APPROVED BY THE SUPERVISOR

LATE AGENDA APPROVAL BY TOWN SUPERVISOR _____ (Supervisor Initials)

September 10, 2024

To Whom It May Concern,

I, Thomas A. Tierney, would like to turn my property at 3015 Savannah St, Niagara Falls, NY 14305, into a FREE community garden. I would like to make it where all the residents of Belden Center can come and get whatever kind of vegetables they would like to eat. But to do this, I would need a water meter put in at that address as there isn't one there now because there is no residential structure on the property. I know that I will be paying for the water as I am aware that it isn't free.

Thank you for considering this proposal that will help the people in Belden Center eat a little healthier. If you have any questions, please reach out to me at 716.930.2394.

Sincerely,

Tom Tierney

Tom Tierney





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TOWN CLERK

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DATE: November 2024
TO: Town Board
FROM: Sylvia Virtuoso
DEPARTMENT: Supervisor

Type or print agenda item in box below:

Resolution to approve the support for the Town of Niagara to be eligible for grant funder under Round 9 of the Restore NY Communities Initiative Municipal Grant Program.

ANY EXCEPTIONS MUST BE APPROVED BY THE SUPERVISOR

LATE AGENDA APPROVAL BY TOWN SUPERVISOR _____ (Supervisor Initials)

WHEREAS, the Town of Niagara is eligible for grant funding under Round 9 of the Restore NY Communities Initiative Municipal Grant Program, and

WHEREAS, the Town of Niagara has considered projects available for submission and selected 3505 Hyde Park to be included on an application that will be submitted to Empire State Development corporation (ESDC) as follows:

Redevelopment of 3505 Hyde Park Blvd. The Project will enable the demolition and removal of one blighted structure on the southern portion of the parcel, and the redevelopment of the other existing building.

WHEREAS, this project is consistent with all existing local plans, the proposed financing is appropriate for the project, the project will facilitate effective and efficient use of existing and future public resources so as to promote both economic development and preservation of community resources and the project develops and enhances infrastructure and/or other facilities in a manner that will attract, create and sustain employment opportunities in the Town of Niagara, and

NOW THEREFORE BE IT RESOLVED, that the council for the Town of Niagara hereby supports and will sponsor an application for Restore NY funding for 3505 Hyde Park and will work with the County of Niagara to administer the grant in accordance with all applicable rules and regulations established by ESDC, and

BE IT FURTHER RESOLVED, that the Town Supervisor is authorized to sign the applications and any agreements required by ESDC for grant funding that results from the application, and

BE IT FURTHER RESOLVED, that the Town of Niagara shall conduct a public hearing to obtain citizens views and comments relative to the submission of an application to Empire State Development for financial assistance under the Restore NY Communities Initiative. This public hearing will take place at the Town of Niagara Town Hall, located at 7105 Lockport Road, Niagara Falls, NY 14305 on the 17th day of December, 2024 at 6:30 pm.; and be it further,

RESOLVED that the Clerk for the Town of Niagara, at least three consecutive days in advance of such hearing, shall post a notice upon the bulletin boards in the Courthouse at the Town of Niagara and shall publish such notice for three consecutive days in the Niagara Gazette.

Public Hearing and Property Assessment Posting for Gazette

NOTICE OF PUBLIC HEARING AND PROPERTY ASSESSMENT LIST RESTORE NY ROUND 9 APPLICATION
PLEASE TAKE NOTICE THAT THE Town of Niagara will be applying for grant funding from RESTORE NY round 9 program administered by EMPIRE STATE DEVELOPMENT CORP. This project includes the demolition and reconstruction of structures located at 3505 Hyde Park, which is a vacant heavy industrial parcel that has two vacant buildings on site. The project proposes the demolition and removal of one vacant and dilapidated structure (66,305+/- sq. ft.) and the resurface of the other existing building (66,105+/- sq. ft.) A public hearing will be held on December 17, 2024 at 6:30 p.m. at the Town of Niagara Town Hall regarding the application. The purpose of this hearing is to obtain citizens' views and comments relative to the submission of the application to Empire State Development for financial assistance under the Restore NY Communities Initiative.



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OCT 22 2024

TOWN OF NIAGARA
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AGENDA ITEM FORM

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DATE: October 22, 2024
TO: Town Board
FROM: Brian Beiter
DEPARTMENT: Water and Sewer Department

Type or print agenda item in box below:

Resolution to remove the actual dollar amount only of the Meter/Utility Fee as listed in Chapter 200 Sewers under Attachment 1:2

Three Town Board Member signatures required for adding Late Agenda items handed in after **12PM** on the last work day of the month.

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LATE AGENDA APPROVAL BY TOWN SUPERVISOR _____ (Supervisor Initials)



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Also remove the information and tables (a) and (b)
And remove under 135-121 B -1-(b) "Said rate shall be set by order of the Town Board after a public hearing"

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DATE: October 22, 2024
TO: Town Board
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DEPARTMENT: Water and Sewer Department

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Resolution to adopt the new water rates and to adjust the utility fee as approved in the 2025 Water and Sewer budget starting January 1st 2025

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DATE: October 22, 2024
TO: Town Board
FROM: Brian Beiter
DEPARTMENT: Water and Sewer Department

Type or print agenda item in box below:

Resolution to do a inter departmental upgrade for Aaron Moore to MEO. He meets the requirements for this position and has acquired his CDL class B license.

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TOWN OF NIAGARA
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AGENDA SUBMITTAL

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LAST WORK DAY OF THE MONTH BEFORE 12 P.M.

DATE: October 16, 2024
TO: Town Board
FROM: Jim Bird
DEPARTMENT: Assessor

Type or print agenda item in box below:

Resolution to approve Local adjustments to the adjusted base proportions as per Subsection 1903-4 (c) of the Real Property Tax Law.	
Water District - Homestead	37.46880
NonHomestead	62.53120
Town District - Homestead	41.34468
NonHomestead	58.65533

ANY EXCEPTIONS MUST BE APPROVED BY THE SUPERVISOR

LATE AGENDA APPROVAL BY TOWN SUPERVISOR _____ (Supervisor Initials)

Local Adjustments to the Adjusted Base Proportions

The municipality may make certain adjustments to the ABPs.
See Subsection 1903-4(c) of the Real Property Tax Law

Town of Niagara

2024

STEP 1 - Subtract the Adjusted Base Proportion for the Homestead Class from the Current Percentage for the Homestead Class

Current Percentage for Homestead Class (Part H of form RP-6701)	49.98400
Adjusted Base Proportion for Homestead Class (column R of form RP-6703)	- <u>38.46490</u>
Difference	11.51910

STEP 2 - Take the Difference computed in STEP 1 and multiply it by 10%, 20%, 25%, 30%, 40%, 50%, 60%, 70%, 75%, 80%, and 90%.
Add this amount to the Homestead Adjusted Base Proportion.

		POSSIBLE TAX SHARES WHICH MAY BE ADOPTED	
Select a Percentage	Amount to be added to Homestead ABP	<u>Homestead</u>	<u>NonHomestead</u>
		38.46490	61.53510
10%	1.15191	39.61681	60.38319
20%	2.30382	40.76872	59.23128
25%	2.87978	41.34468	58.65533
30%	3.45573	41.92063	58.07937
40%	4.60764	43.07254	56.92746
50%	5.75955	44.22445	55.77555
60%	6.91146	45.37636	54.62364
70%	8.06337	46.52827	53.47173
75%	8.63933	47.10423	52.89578
80%	9.21528	47.68018	52.31982
90%	10.36719	48.83209	51.16791
100%	11.51910	49.98400	50.01600

Local Adjustments to the Adjusted Base Proportions

The municipality may make certain adjustments to the ABPs.
See Subsection 1903-4(c) of the Real Property Tax Law

Water Town of Niagara 2024

STEP 1 - Subtract the Adjusted Base Proportion for the Homestead Class from the Current Percentage for the Homestead Class

Current Percentage for Homestead Class (Part H of form RP-6701)	43.92000
Adjusted Base Proportion for Homestead Class (column R of form RP-6703)	- <u>34.70400</u>
Difference	9.21600

STEP 2 - Take the Difference computed in STEP 1 and multiply it by 10%, 20%, 25%, 30%, 40%, 50%, 60%, 70%, 75%, 80%, and 90%.
Add this amount to the Homestead Adjusted Base Proportion.

		POSSIBLE TAX SHARES WHICH MAY BE ADOPTED	
Select a Percentage	Amount to be added to Homestead ABP	<u>Homestead</u>	<u>NonHomestead</u>
		34.70400	65.29600
10%	0.92160	35.62560	64.37440
20%	1.84320	36.54720	63.45280
25%	2.30400	37.00800	62.99200
30%	2.76480	37.46880	62.53120
40%	3.68640	38.39040	61.60960
50%	4.60800	39.31200	60.68800
60%	5.52960	40.23360	59.76640
70%	6.45120	41.15520	58.84480
75%	6.91200	41.61600	58.38400
80%	7.37280	42.07680	57.92320
90%	8.29440	42.99840	57.00160
100%	9.21600	43.92000	56.08000



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OCT 22 2024
TOWN OF NIAGARA
TOWN CLERK



AGENDA ITEM

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AGENDA ITEMS WILL BE COPIED TO THE TOWN BOARD
FOR THEIR SIGNATURES (below) FOR ADDITION TO THE AGENDA.

DATE: 10/21/2024

TO: TOWN OF NIAGARA TOWN BOARD
FROM: Charles E. Haseley, Building Inspector *CH*
DEPARTMENT: Department of Inspections

Resolution to declare a negative declaration on the associated SEQR for the Special-use permit request of Gregory Clark of All Purpose Tint and Accessories to operate a motor vehicle garage from the facility known as 8525 Porter Rd. Tax map #'s 146.13-1-10 and 146.13-1-10 & 146.13-1-11

Three Town Board Member signatures required for adding Late Agenda items

BOARD ACTION:

APPROVED _____ **DENIED** _____ **OFF** _____ **TABLED** _____

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OCT 22 2024

TOWN OF NIAGARA
TOWN CLERK



2

AGENDA ITEM

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DATE: 10/21/2024

TO: TOWN OF NIAGARA TOWN BOARD
FROM: Charles E. Haseley, Building Inspector *CH*
DEPARTMENT: Department of Inspections

Resolution to approve the Special-use permit request of Gregory Clark of All Purpose Tint and Accessories to operate a motor vehicle garage from the facility known as 8525 Porter Rd. contingent upon no noise is generated from the facility of which due to its intensity and or duration disturbs the sensibilities of the residence in the adjacent residential properties . Tax map #'s 146.13-1-10 and 146.13-1-10 & 146.13-1-11. Permit shall expire one year from date of approval and maybe renewed upon filing a written request and further review and approval from the Town board.

Three Town Board Member signatures required for adding Late Agenda items

BOARD ACTION:

APPROVED _____ DENIED _____ OFF _____ TABLED _____



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OCT 30 2024

TOWN OF NIAGARA
TOWN CLERK

AGENDA ITEM FORM

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DATE: 10/30/2024
TO: Town Board
FROM: Richard Sirianni
DEPARTMENT: Highway

Type or print agenda item in box below:

Discussion on resolution to purchase a 35 HP Kubota tractor
Not to exceed \$49,200 with snow blower, lawn deck, and bush
hog attachments as per 2025 budget. Not to be paid before the
January 2025 budget is in place.

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LATE AGENDA APPROVAL BY TOWN SUPERVISOR _____ (Supervisor Initials)