

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

MINUTES

Tuesday, September 19, 2023
6:30 PM

PUBLIC HEARING

1. For the final site plan, rezoning, minor re-subdivision request of Kevin Kirk of Uniland Development. 3401 Military Rd. Tax Map #135.19-1-45

Opened at 6:30 pm. Kevin Kirk presented the drawings and description of the project. Marvin Henchbarger of 3150 Sadlo Drive and Vicky Roscetti of 6307 Woodside Place stated the concerns of the R3 housing, amount of traffic, impact on residents, Assessments should reflect the inconvenience and property values. Closed at 6:45pm.

OPEN MEETING (Pledge, Prayer, Roll Call)

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

Roll Call:

Present: Supervisor Lee S. Wallace, Charles F. Teixeira, Deputy Supervisor, Councilman Sam Gatto, Councilman Marc M. Carpenter

Absent: none

Excused: 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)

No speakers

APPROVAL OF MINUTES

1. Town Board Meeting of August 15, 2023

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

Ayes – Wallace, Teixeira, Gatto, Carpenter

Noes – none

Abstain – none

Motion approved.

PAYMENT OF BILLS

General Fund prepay vouchers [A] \$81,182.65
General Fund vouchers [A] \$53,926.49
Sewer Fund prepay vouchers [G] \$6,430.01
Sewer Fund vouchers [G] \$20,585.35
Water Fund vouchers [F] \$2,539.66
Water Fund vouchers prepay [F] \$3,266.26
Highway Fund vouchers [DA] \$12,644.06
Highway Fund prepay vouchers [DA] \$25,836.80
Fire Protection prepay vouchers [SF] \$
Fire Protection [S]
Street Lighting vouchers [SL]
Street Lighting Pre-Pay vouchers [SL] \$8,022.76
Trust & Agency Pre-Pay vouchers [TA] \$32,199.47
Trust & Agency vouchers [TA] \$18,856.00
Capital Projects prepay vouchers [H] \$
Capital Projects vouchers [H] \$

Motion to approve by Councilman Gatto second by Councilman Carpenter
Ayes – Wallace, Teixeira, Gatto, Carpenter
Noes – none
Abstain – none

Motion carried.

AGENDA

1. Resolution to add Armoni Hunter, Christopher Pettit and Roscoe Daugherty to the active Firefighter list subject to applications being submitted and physicals conducted. (J. Guiher)

Motion to approve by Councilman Teixeira second by Councilman Carpenter
Ayes – Wallace, Teixeira, Gatto, Carpenter
Noes – none
Abstain – none

Motion carried.

2. Resolution to approve the purchase of a 2024 Chevrolet Tahoe from Joe Basil Chevrolet for \$58,919.60 with American Rescue Funds and delivery to be in the Spring/Summer of 2024. (C. Guiliani)

Motion to approve by Councilman Gatto second by Councilman Carpenter
Ayes – Wallace, Teixeira, Gatto, Carpenter
Noes – none
Abstain – none

Motion carried.

3. Resolution to accept the letter of resignation from Mr. Michael Murawski from the Planning Board effective September 20, 2023 (L. Wallace)

Motion to approve by Councilman Gatto second by Councilman Teixeira.

Ayes – Wallace, Teixeira, Gatto, Carpenter

Noes – none

Abstain – none

Motion carried.

4. Resolution calling for a public hearing on October 17, 2023 at 6:30p.m. to consider directing the owner of the property at 3425 Hyde Park Boulevard to abate the dangerous and unsafe property conditions and to authorize the Town to assess and past, present, or future costs it incurs to make the property safe for the public against the property in the same manner as taxes are levied against the property pursuant to Chapters 121 and 122 of the Town of Niagara Town Code. (M. Risman)

Motion to approve by Councilman Gatto second by Councilman Carpenter

Ayes – Wallace, Teixeira, Gatto, Carpenter

Noes – none

Abstain – none

Motion carried.

5. Resolution to approve the sale of 10 Surplus Axon Body Cam 2's and 2 docking stations to Grand Island Police for \$1500.00 (C. Guiliani)

Motion to approve by Councilman Teixeira second by Councilman Gatto.

Ayes – Wallace, Teixeira, Gatto, Carpenter

Noes – none

Abstain – none

Motion carried.

6. Resolution to call for a Public Hearing on October 17, 2023 at 6:30 pm in regards to Local Law 2023-4 amending the permitted use in B-1 for construction of self storage facilities and mailing, mailbox and conference facilities, records storage facilities or warehouses for the storage of goods and products within the Town of Niagara.

Motion to approve by Councilman Gatto second by Councilman Carpenter.

Ayes – Wallace, Teixeira, Gatto, Carpenter

Noes – none

Abstain – none

Motion carried.

7. Resolution to contract with Passero Engineering and Architecture to assist Barclay-Damon with the review of the EIS for Bri Estates. (L. Wallace)

Motion to approve by Councilman GattoTeixeira second by Councilman Gatto.
Ayes – Wallace, Teixeira, Gatto, Carpenter
Noes – none
Abstain – none

Motion carried.

8. Resolution to accept the Audit of Niagara Active Hose Fire Company performed by Drescher and Malecki as requested by the Town Board. (L. Wallace)

Motion to approve by Councilman Carpenter second by Councilman Gatto.
Ayes – Wallace, Teixeira, Gatto, Carpenter
Noes – none
Abstain – none

Motion carried.

9. Resolution to accept the resignation (transfer to the Highway Dept.) of Shane Hovland from the Sewer Dept. and as Leadman of the Sewer Dept. as of August 20, 2023. (B. Beiter)

Motion to approve by Councilman Carpenter second by Councilman Gatto.
Ayes – Wallace, Teixeira, Gatto, Carpenter
Noes – none
Abstain – none

Motion carried.

10. Resolution to appoint Mark Heary as Leadman of the Sewer Department as of August 21, 2023 and pay him as budgeted. (B. Beiter)

Motion to approve by Councilman Carpenter second by Councilman Teixeira.
Ayes – Wallace, Teixeira, Gatto, Carpenter
Noes – none
Abstain – none

Motion carried.

11. Resolution to purchase a 2016 Yamaha Golf Cart from Scoreboard Automotive Sales, in Eureka, MO using American Rescue Funds, at a total cost of \$8,895.00 plus shipping. (L. Wallace)

Motion to approve by Councilman Teixeira second by Councilman Gatto.
Ayes – Wallace, Teixeira, Gatto, Carpenter
Noes – none
Abstain – none

Motion carried.

12. Resolution to post and hire a laborer in the Sewer Dept. vacated by Shane Hovland transferring to Highway (posting to start September 20, 2023)

Motion to approve by Councilman Gatto second by Councilman Teixeira.

Ayes – Wallace, Teixeira, Gatto, Carpenter

Noes – none

Abstain – none

Motion carried.

13. Resolution to appoint Darleen Sullivan as an alternate to the Town of Niagara Planning Board effective September 20, 2023. (Wallace)

Motion to approve by Councilman Carpenter second by Councilman Teixeira.

Ayes – Wallace, Teixeira, Gatto, Carpenter

Noes – none

Abstain – none

Motion carried.

14. Resolution to hire an Assistant Building Inspector to replace the vacated position in the Building Department. (Wallace)

Motion to approve by Councilman Teixeira second by Councilman Gatto.

Ayes – Wallace, Teixeira, Gatto, Carpenter

Noes – none

Abstain – none

Motion carried.

TABLED

1. Resolution to declare a negative declaration on the associated SEQRA for the final site plan, re-subdivision, identified code section waivers, and special-use permit request of Kristin Savard of (AGD) agent for 2429 Military Rd. LLC./ 2429 Military Rd. and V. Lots, Tax Map #'s 145.16-2-29, 146.13-11.1, and 146.13-2-1. (C. Haseley)

2. Resolution to approve the final site plan, re-subdivision, identified code section waivers, and special-use permit request of Kristin Savard of (ADG) agent for 2429 Military Rd. LLC. / 2429 Military Rd. and V. Lots, Tax Map #'s 145.16-2-29, 146.13-1-1.1, and 146.13-2-1. (C. Haseley)

3. Resolution to declare a negative declaration of associated SEQRA pertaining to the re-subdivision, rezoning and final site plan request of Kevin Kirk of Uniland LLC. 3401 Military Road Tax Map #131.19-1-45. (C Haseley).

4. Resolution to approve the re-subdivision, rezoning and final site plan request of Kevin Kirk of Uniland LLC. 3401 Military Road Tax Map # 131.19-1-45.

(C Haseley)

COMMENTS

Deputy Supervisor Teixeira thanks those who spoke at the Public Hearing, thanks Mike Murawski for his service on the Planning Board.

Councilman Gatto, also thanks Mike Murwaski for his service and the speakers and presenter of the Public Hearing.

Councilman Carpenter echoes the comments of Deputy Supervisor Teixeira and Councilman Gatto.

ADJOURNMENT

Motion to adjourn by Councilman Carpenter second by Councilman Teixeira. All in favor.

Meeting adjourned at 7:07 pm.

Respectfully submitted,

Sylvia Virtuoso

Town Clerk

THE MONTHLY AGENDA IS ON THE TOWN WEBSITE

www.townofniagara.com

IN MEMORIAM

Dominic N. DeBose

Lori M. Hare

Judith Costanzo

Lynn Ann Klepp

Theodore Catherine