

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

MINUTES

**Tuesday, May 20th, 2025
6:30 PM**

PUBLIC HEARING

1. To amend §237-4, which governs all-night parking Local Law 2025-2 (Virtuoso)
Closed @ 6:31pm with no speakers
2. For a Special-Use permit request of Cheryl Myles to operate an in-home occupation. Office space in association with SHE* DRUMS LLC. 7801 Packard Road/Tax Map #145.08-4-19. (Haseley)
Closed @ 6:32pm with no speakers
3. For a Special-Use / Site plan request of Military Road Solar LLC. 8924 Porter Road / Tax Map #'s 146.14-1-1, 146.13-1-8 and 146.13-1-9.1 with the condition all associated State, and local required approvals are granted, with no building permits to be issued by the Towns Building Department until such time as the required bond is filed with the Town Clerk.
Closed @ 6:33pm with no speakers

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))

Sheila Finnegan of 3202 Portland Avenue addressed numerous hazards and safety issues, and the neglect associated with 3015 Hyde Park and 3207 Portland Avenue. Broken windows,

over-grown grass, exterior doors open, roof deterioration and rodents on the properties. She questioned if the Town had any plans in place to get the owner to comply with the Town Codes. She stated she would like to not only buy the property located at 3207 Portland, but she would personally pay for it to be knocked down even before she were to purchase it, simply to make the neighborhood a safer place. She asked if the owner claims he will be fixing it, is the building department going to make sure all work done will be code compliant.

Lorie Mountain of 2918 Birch Avenue spoke about the mice, rats, skunks, and health hazards located at 2920 Birch Avenue. While speaking Lorie handed out photos of the property. The house has no gutters, no running water, and no electricity. There are unregistered cars in the yard. There are piles of wood stacked up against her fence that because of that it is ruining her fence. She stated that Lee Wallace told her years ago that the house was on the "to be demolished list" but here she is still waiting.

Billie Curtis of 3011 Rhode Island Avenue said she is thankful for the street cleaner and truly appreciates the improvements the Town is now making. She spoke today about 3202 Rhode Island Avenue and that it has been abandoned for about 10-12 years now. She offered the owner money to buy the property, and the owner said no. The water and gas have been shut off and the property harbors all the critters you don't want in your neighborhood. It would be appreciated if the Town could possibly step in and help get the property cleaned up.

APPROVAL OF MINUTES

1. Town Board Meeting of April 15th, 2025

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] \$19,190.05

General Fund vouchers [A] \$76,304.19

Sewer Fund Pre-Pay vouchers [G] \$1,552.29

Sewer Fund vouchers [G] \$321,518.61

Water Fund Pre-Pay vouchers [F] \$1,629.20

Water Fund vouchers [F] \$2,691.20

Highway Fund Pre-Pay vouchers [DA] \$376.11

Highway Fund vouchers [DA] \$11,338.51

Fire Protection Pre-Pay vouchers [SF] \$0

Fire Protection vouchers [SF] \$3,543.00

Street Lighting Pre-Pay vouchers [SL] \$6,999.51

Street Lighting vouchers [SL] \$0

Trust & Agency Pre-Pay vouchers [TA] \$0

Trust & Agency vouchers [TA] \$218.98

Capital Projects Pre-Pay [H] \$0

Capital Projects vouchers [H] \$46,809.33

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

Ayes – Virtuoso, Carpenter, Lee, Parks

Noes – none

Abstain – none

Motion carried.

Agenda items #5 and #6 were moved to the beginning of the meeting to be voted on, due to Councilman Parks having a family emergency which required him to be excused from the rest of the meeting.

AGENDA

1. Resolution to approve the amendment to §237-4, which governs all-night parking Local Law 2025-2 (Virtuoso)

Motion to approve by Councilman Carpenter second by Councilman Lee.

Ayes –Virtuoso, Carpenter, Lee

Noes – none

Abstain – none

Motion carried.

2. Resolution to declare a negative declaration on the associated SEQR for the Special-Use permit request of Cheryl Myles to operate an in-home occupation. Office space in association with SHE*DRUMS LLC. at 7801 Packard Road / Tax Map #145.08-4-19. (Haseley)

Motion to approve by Councilman Lee second by Councilman Carpenter.

Ayes –Virtuoso, Carpenter, Lee

Noes – none

Abstain – none

Motion carried.

3. Resolution to approve the Special-Use permit request of Cheryl Myles to operate an in-home occupation. Office space in association with SHE* DRUMS LLC. 7801 Packard Road/Tax Map #145.08-4-19. (Haseley)

Motion to approve by Councilman Carpenter second by Councilman Lee

Ayes – Virtuoso, Carpenter, Lee

Noes – none

Abstain – none

Motion carried.

4. Resolution to approve the updated Employee Handbook. The Handbook will be distributed to each employee and all new hires, full, part-time and seasonal where their signature is required for a receipt. (Virtuoso)

Motion to approve by Councilman Carpenter second by Councilman Lee.

Ayes – Virtuoso, Carpenter, Lee

Noes – none

Abstain – none

Motion carried.

5. Resolution to declare a negative declaration on the associated SEQR by approving parts 2 and 3 of the EAF for the Special-Use permit/site plan approval request of Military Road Solar LLC. 8924 Porter Road/Tax Map #'s 146.13-1-8, 146.14-1-1 and 146.13-1-9.1. (Haseley)

Motion to approve by Councilman Lee second by Councilman Parks.

Ayes – Virtuoso, Carpenter, Lee, Parks

Noes – none

Abstain – none

Motion carried.

6. Resolution to approve the Special-Use permit/site plan request of Military Road Solar LLC. 8924 Porter Road/Tax Map #'s 146.13-1-8, 146.14-1-1 and 146.13-1-9.1 with the condition all associated State, and local required approvals are granted, with no building permits to be issued by the Towns Building Department until such time as the required bond is filed with the Town Clerk and direct Special Counsel to prepare an approval resolution. (Haseley).

Motion to approve by Councilman Carpenter second by Councilman Parks.

Ayes – Virtuoso, Carpenter, Lee, Parks

Noes – none

Abstain – none

Motion carried.

7. Resolution to add a Roth addition to the Nationwide Retirement Plan benefit package for our employees. (Virtuoso)

Motion to approve by Councilman Lee second by Councilman Carpenter.

Ayes – Virtuoso, Carpenter, Lee

Noes – none

Abstain – none

Motion carried.

8. Resolution to go into contract with Occustar Workplace Compliance for DOT/Non DOT regulated drug & alcohol programs and other workplace compliance. (Virtuoso)

Motion to approve by Councilman Lee second by Councilman Carpenter.

Ayes – Virtuoso, Carpenter, Lee

Noes – none

Abstain – none

Motion carried.

9. Resolution to approve Senate Bill S7493 and Assembly Bill A7349A Home Rule request that Authorizes the Town of Niagara to alienate and discontinue the use of certain parklands and to convey such parklands to Rajendra Sharma. (Virtuoso)

Motion to approve by Councilman Carpenter second by Councilman Lee.

Ayes – Virtuoso, Carpenter, Lee

Noes – none

Abstain – none

Motion carried.

10. RESOLUTION AUTHORIZING THE RECONSTRUCTION OF AND CONSTRUCTION OF IMPROVEMENTS TO THE ROADWAY AT THE CALVIN K. RICHARDS SENIOR/YOUTH ACTIVITY CENTER (PRIMARILY JOE ROTELLA WAY), AT AN ESTIMATED MAXIMUM COST OF \$90,000 AND AUTHORIZING THE ISSUANCE OF SERIAL BONDS IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$90,000 PURSUANT TO THE LOCAL FINANCE LAW TO FINANCE SUCH PURPOSE, SUCH AMOUNT TO BE OFFSET BY ANY FEDERAL, STATE, COUNTY AND/OR LOCAL FUNDS RECEIVED, AND DELEGATING THE POWER TO ISSUE BOND ANTICIPATION NOTES IN ANTICIPATION OF THE SALE OF SUCH BONDS TO THE TOWN SUPERVISOR. (Risman)

Motion to approve by Councilman Carpenter second by Councilman Lee.

Ayes – Virtuoso, Carpenter, Lee

Noes – none

Abstain – none

Motion carried.

11. RESOLUTION AUTHORIZING A CAPITAL IMPROVEMENTS PROJECT CONSISTING OF THE RECONSTRUCTION OF AND CONSTRUCTION OF IMPROVEMENTS TO THE TOWN'S HIGHWAY GARAGE BUILDING, AT AN ESTIMATED MAXIMUM COST OF \$160,000 AND AUTHORIZING THE ISSUANCE OF SERIAL BONDS IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$160,000 PURSUANT TO THE LOCAL FINANCE LAW TO FINANCE SUCH PURPOSE, SUCH AMOUNT TO BE OFFSET BY ANY FEDERAL, STATE, COUNTY AND/OR LOCAL FUNDS RECEIVED, AND DELEGATING THE POWER TO ISSUE BOND ANTICIPATION NOTES IN ANTICIPATION OF THE SALE OF SUCH BONDS TO THE TOWN SUPERVISOR. (Risman)

Motion to approve by Councilman Lee second by Councilman Carpenter.

Ayes – Virtuoso, Carpenter, Lee

Noes – none

Abstain – none

Motion carried.

12. RESOLUTION AUTHORIZING THE RECONSTRUCTION OF AND CONSTRUCTION OF IMPROVEMENTS TO THE PARKING LOT LOCATED AT THE TOWN HALL, HIGHWAY GARAGE, POLICE DEPARTMENT, AND WATER DEPARTMENT, AT AN ESTIMATED MAXIMUM COST OF \$450,000 AND AUTHORIZING THE ISSUANCE OF SERIAL BONDS

IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$450,000 PURSUANT TO THE LOCAL FINANCE LAW TO FINANCE SUCH PURPOSE, SUCH AMOUNT TO BE OFFSET BY ANY FEDERAL, STATE, COUNTY AND/OR LOCAL FUNDS RECEIVED, AND DELEGATING THE POWER TO ISSUE BOND ANTICIPATION NOTES IN ANTICIPATION OF THE SALE OF SUCH BONDS TO THE TOWN SUPERVISOR. (Risman)

Motion to approve by Councilman Lee second by Councilman Carpenter.

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

Motion carried.

13. Resolution to approve the sale and vacant land rider of 131.19-1-10 and 131.19-1-11 to Meadow NT LLC, 8962 Porter Road (aka Rotella) in the amount of \$10,000.00 with the stipulation the sale does not happen if the development plans do not go forward. (Virtuoso)

Motion to approve by Councilman Lee second by Councilman Carpenter.

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

Motion carried.

14. Resolution to approve the contract for 5th of July fireworks with Skylighters Fireworks in the amount of \$15,000.00 as budgeted. (Virtuoso)

Motion to approve by Councilman Carpenter second by Councilman Lee.

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

Motion carried.

15. Resolution to approve the Annual Special-Use Permit renewal request of
- Speedway-7001 Packard Road #145.12-3-1.3
 - Joseph Casale III-7431 Sunnydale Drive #131.20-3-16

Motion to approve by Councilman Lee second by Councilman Carpenter.

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

Motion carried.

16. Resolution to authorize the Town Supervisor to sign the estoppel certificate to facilitate the sale and assignment of our water tower telecommunications lease agreement with Crescendo Capital to Everest Infrastructure Partners. The Town previously sold the rights to the Town

water tower telecommunication leases for the sum of \$1,600,000.00 payable in ten installments. Crescendo Capital is selling and assigning the agreement to Everest Infrastructure Partners and Everest has confirmed that the remaining payments under the signed agreement will be made to the Town. (Risman)

Motion to approve by Councilman Lee second by Councilman Carpenter.

Ayes – Virtuoso, Carpenter, Lee

Noes – none

Abstain – none

Motion carried.

17. Resolution to add Corinne Wilcox to the Town of Niagara Active Hose Fire Co. active roster. (Jasper)

Motion to approve by Councilman Carpenter second by Councilman Lee.

Ayes – Virtuoso, Carpenter, Lee

Noes – none

Abstain – none

Motion carried.

18. Resolution to declare an Emergency repair per Town engineer for an emergency sewer repair for Military Road and hire Mark Cerrone Inc. to make the repairs according to the prevailing wages on a time and material basis. (Beiter)

Motion to approve by Councilman Carpenter second by Councilman Lee.

Ayes – Virtuoso, Carpenter, Lee

Noes – none

Abstain – none

Motion carried.

TABLED

COMMENTS Councilman Carpenter stated that he hopes everyone has a safe and happy summer. Supervisor Virtuoso and Councilman Lee both agreed with Councilman Carpenter and had nothing extra to add at this time.

ADJOURNMENTS

Motion to adjourn by Councilman Lee, second by Councilman Carpenter. All in favor. Meeting adjourned at 7:07pm.

Respectfully Submitted,

Melissa Cerrillo

Town Clerk

THE MONTHLY AGENDA IS ON THE TOWN WEBSITE

www.townofniagara.com

In Memoriam

Michael L. Baker

Ann T. Montgomery

James F. Robinson

Joseph B. Phillips

Debra J. V. Lonneville



#1 Birch-2920 front



#2 Birch 2920 - front side yard.



3 ^{Bunch-} 2920 - side caved in roof top



#4 Binds. 2920 - Side view of house



#5 Birds 2920- general view of property.



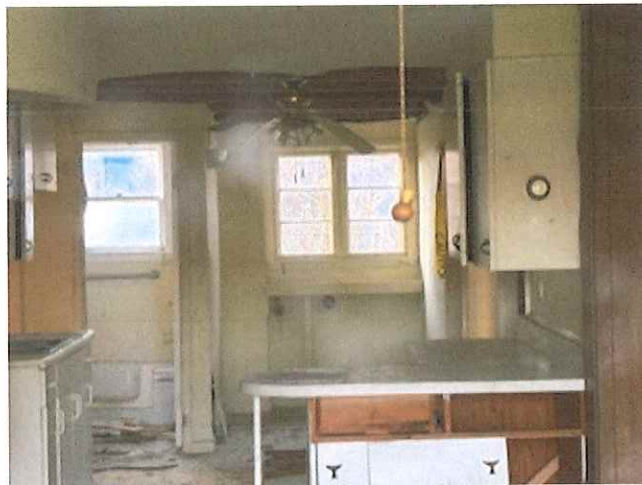
3207- Portland front door



3207- Portland front



3207 Portland side



3207- Portland Ceiling



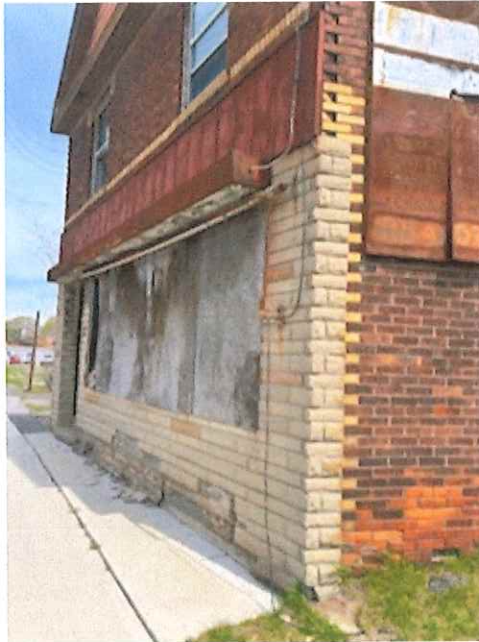
3207-Portland Gun tion tape on doorway



3015 - Hyde Park backcorner



2015 - front
Hyde Park



3015 Hyde Park front.