

**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**  
**August 19th, 2025 @ 6:30PM**  
**AGENDA**

**WORK SESSION**

Wednesday August 13th, 2025 @ 6:30 PM

**PUBLIC HEARING**

1. Resolution to approve Local Law No. 2025-3 enacting a real property tax exemption for improvements to real property meeting certification standards for green buildings.

**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 July 15th, 2025

**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. Resolution to approve Local Law No. 2025-3 enacting a real property tax exemption for improvements to real property meeting certification standards for green buildings. (Risman)
2. Town Board Approval is requested for the following Budget Transfers Amendments to the 2025 Budget (Siegmann)  
From:  

A1110.4 Justice Contractual	75.00
A1990.4 Contingency	50,692.00

To:  

A1110.2 Justice Equipment	75.00
A1950.4 Taxes	57.00
A6410.4 Advertising	500.00
A8010.4 Zoning Contractual	50,000.00
A8030.4 Research Contractual	135.00
3. Resolution to approve the Annual Special-Use Permit renewal requests of:
  - Bell Atlantic/Verizon Small Cell Facility 145.20-1-15/CT1 1900 Military Rd.
  - Bell Atlantic/Verizon Small Cell Facility 145.20-1-15/CT2 1900 Military Rd.
  - Crown Castle Cell Tower 131.18-1-5/CT1 500 Mayle Court
  - Crown Castle Cell Tower 132.15-1-4/CT6 10420 Lockport Rd.
4. Resolution to discuss possible demolition and disposition of property owned by Wieslaw Walawender at 2920 Birch Avenue and nearby other parcels. (Virtuoso)
5. Resolution to purchase a new 6" Flygt model 3127.060 sewer lift station pump from Fleet Pumps and Service to replace a model that broke. Cost of pump is \$19,155.00 and will come for the Sewer Lift Station Fund. (Beiter)
6. Resolution to approve the Current and Adjusted Base Proportions pursuant to Article 19, real Property Tax Law. (Bird)
7. Discussion on changing pipe on driveway aprons and cost of permit because the amount of blacktop being used and an increase of the cost of blacktop. (Sirianni)
8. Discussion on moving the Playground Equipment from Colonial Drive/Gary Guiliani Park to Veterans Memorial Community Park. (Sirianni)
9. Discussion on changing the Town of Niagara Logo. (Virtuoso)
10. Discussion concerning e-bikes and scooters and their use on public Town roads. (Carpenter)
11. Resolution to add the following names to the Active Roster. (Jasper)  
-Matthew Grier  
-James O'Neill

**TABLED**

1. Resolution for a change to Local Law, Town of Niagara Code, Chapter 245. Zoning (Haseley)

**COMMENTS**

**ADJOURNMENT**

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

**[www.townofniagarany.gov](http://www.townofniagarany.gov)**

**In Memoriam**

## **TOWN OF NIAGARA**

### **LOCAL LAW NO. 2025-3**

The Town of Niagara hereby adopts Local Law No. 2025-3 by amending Chapter 225 to the Town of Niagara Town Code and adding a new Article VIII as follows:

#### **ARTICLE VIII “EXEMPTION FOR IMPROVEMENTS TO REAL PROPERTY MEETING CERTIFICATION STANDARDS FOR GREEN BUILDINGS”**

##### Section 1. Legislative intent.

This Town Board hereby finds and determines that New York State Real Property Tax Law Section 470 authorizes municipalities to provide a real property tax exemption for improvements to real property meeting certification standards for green buildings.

This Town Board further finds and determines that the Town of Niagara has historically pursued policies to promote energy efficiency and reduce greenhouse gas emissions.

This Town Board also determines that the Town of Niagara should give homeowners and businesses an incentive to comply with LEED standards when making improvements to real property.

Therefore, the purpose of this law is to provide a real property tax exemption for improvements to real property which meet with LEED or substantially equivalent green building certification standards, as authorized under the New York Real Property Tax Law.

##### Section 2. Local Law.

The Town of Niagara is hereby enacting Local Law No. 2025-3 which shall read as follows:

#### **ARTICLE VIII “EXEMPTION FOR IMPROVEMENT TO REAL PROPERTY MEETING CERTIFICATION STANDARDS FOR GREEN BUILDINGS”**

Section 225.30. This article implements section 470 of New York State Real Property Tax Law by granting a real property exemption for improvements to real property located in the Town of Niagara which meets LEED certification standards for green buildings or substantially equivalent standards for certification using a similar program for green buildings as determined by the Town of Niagara.

Section 225.31 Grant of Exemption and Conditions.

A. Real property, which is certified under LEED certification standard for the categories of certified, silver, gold or platinum as meeting green building standards, as determined by a LEED accredited professional, shall be exempt as provided below for the respective percentages provided that a copy of the LEED certification for a qualified category is filed with the Town Assessor's Office and is approved by the Assessor as meeting the requirements of Section 470 of New York State Real Property Tax Law and this article. Such exemption shall be to the extent of any increase in assessed value resulting from the construction or reconstruction of a property meeting LEED certification or substantially equivalent standards for certification using a similar program for green buildings as determined by the Town of Niagara.

GREEN BUILDING EXEMPTION

YEAR	CERTIFIED/SILVER	GOLD	PLATINUM
1	100%	100%	100%
2	100%	100%	100%
3	100%	100%	100%
4	80%	100%	100%
5	60%	80%	100%
6	40%	60%	100%
7	20%	40%	80%
8	0%	20%	60%
9	0%	0%	40%
10	0%	0%	20%

B. No such exemption shall be granted unless:

1. Such construction of improvements was commenced on or after the effective date of this law.
2. The value of such construction exceeds the sum of ten thousand (\$10,000) dollars; and
3. Such construction is documented by a building permit, if required, for the improvements, or other appropriate documentation as required by the Assessor.

C. For the purpose of this article the term "Construction of Improvements" shall not include ordinary maintenance and repairs.

D. Approval of Assessment.

If the Assessor is satisfied that the applicant is entitled to an exemption pursuant this article, he or she shall approve the application, and such real property shall thereafter be exempt from taxation as provided in this section commencing with the assessment roll prepared after the next taxable status date. The assessed value of any exemption granted pursuant to this section shall be entered by the Assessor on the assessment roll with the taxable property, with the amount of this exemption shown in separate column.

Section 3. Filing.

The Clerk of the Town of Niagara is hereby directed to file a copy of this local law with the New York State Office of Real Property Tax Services and the Niagara County Real Property Tax Department.

Section 4. Applicability.

This law shall apply to improvements of real property occurring on or after the effective date of this law.

Section 5. Severability.

If any clause, sentence, paragraph, subdivision, section, or part of this law or the application thereof to any person, individual, corporation, firm, partnership, entity, or circumstance shall be adjudged by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section or part of this law, or in its application to the person, individual, corporation, firm, partnership, entity, or circumstance directly involved in the controversy in which such order or judgment shall be rendered.

Section 6. SEQRA Determination.

The Town of Niagara Town Board, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that this law constitutes a Type II action pursuant to Section 617.5 (c)(20), (21) and/or (27) of Title 6 of the NEW YORK CODE OF RULES AND REGULATION (6 NYCRR) and within the meaning of Section 87-109(2) of the NEW YORK STATE ENVIRONMENTAL CONSERVATION LAW and the promulgation of regulations, rules, policies, procedures, and legislative decisions in connection with continuing agency administration, management and information collection. The Town of Niagara Town

Board is hereby directed to circulate any appropriate SEQRA notices of determination of non-applicability or non-significance in accordance with this law.

Section 7. Effective Date.

This law shall take effect immediately upon filing in the Office of the State and shall apply to tax years beginning on or after July 1, 2026.

---

**Sylvia Virtuoso**  
**Town Supervisor**

---

**Marc M. Carpenter**  
**Deputy Supervisor**

---

**Charles Teixeira**  
**Town Board Member**

---

**Michael Lee**  
**Town Board Member**

---

**Johnny Parks**  
**Town Board Member**