

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

**MINUTES  
Tuesday, October 21st, 2025  
6:30 PM**

**PUBLIC HEARING**

1. For a change to Local Law, Town of Niagara Code Chapter 245. Zoning  
Open @ 6:37pm, Closed @ 6:39pm
2. To consider proposed adoption of Preliminary Town Budget for 2026. The Proposed Budget includes the following salaries for elected officials:

Supervisor	\$50,153.00
Council Member (4)	\$16,384.00
Town Clerk	\$61,692.00
Highway Superintendent	\$71,040.00
Justice (2)	\$34,000.00

Opened @ 6:39pm

**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, Councilman Charles Teixeira

Absent:

Excused:

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)*

Closed @ 6:46pm

Tom Webber of 7625 Packard Road spoke about some facts and opinions regarding the traffic, traffic light, and the safety needs that need to be put forward for all the townspeople and people passing through the Town. He read a letter he had prepared and submitted the letter, along with other research and pictures that he presented to the Town Board.

## **APPROVAL OF MINUTES**

### **1. Town Board Meeting of September 16th, 2025**

Motion to approve by Councilman Lee, second by Councilman Parks

.

Ayes –Virtuoso, Carpenter, Lee, Parks, Teixeira

Noes – none

Abstain-none

### **2. Town Board Special Meeting Minutes of October 15<sup>th</sup>, 2025**

Motion to approve by Councilman Carpenter, second by Councilman Teixeira

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Ayes –Virtuoso, Carpenter, Lee, Parks, Teixeira

Noes – none

Abstain – none

Motion carried.

## **PAYMENT OF THE BILLS**

General Fund Pre-Pay vouchers [A] \$22,231.41

General Fund vouchers [A] \$110,861.36

Sewer Fund Pre-Pay vouchers [G] \$1,329.25

Sewer Fund vouchers [G] \$5,098.22

Water Fund Pre-Pay vouchers [F] \$211.99

Water Fund vouchers [F] \$134,911.96

Highway Fund Pre-Pay vouchers [DA] \$0.00

Highway Fund vouchers [DA] \$19,129.02

Fire Protection Pre-Pay vouchers [SF] \$0.00

Fire Protection vouchers [SF] \$3,719.82

Street Lighting Pre-Pay vouchers [SL] \$6,605.12

Street Lighting vouchers [SL] \$0.00

Trust & Agency Pre-Pay vouchers [TA] \$0.00

Trust & Agency vouchers [TA] \$3,124.50

Capital Projects Pre-Pay [H] \$0.00

Capital Projects vouchers [H] \$136,918.54

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

Ayes –Virtuoso, Carpenter, Lee, Parks, Teixeira

Noes – none

Abstain – none

Motion carried.

## **AGENDA**

### **1. Resolution to adopt Local Law, Town of Niagara Code, Chapter 245. Zoning (Haseley)**

Motion to approve by Councilman Teixeira second by Councilman Carpenter.

Ayes –Virtuoso, Carpenter, Lee, Parks, Teixeira

Noes – none  
Abstain – none

Motion carried.

2. Resolution to approve Unpaid water, sewer and Town charges to be applied to the 2026 tax warrant. (Bird)

Motion to approve by Councilman Carpenter second by Councilman Teixeira.

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

Motion carried.

3. Resolution to approve the attached agreement with JB2 Partners, LLC, to pay for and construct water line and fire hydrant improvements to be located at 8995 Lockport Road and to contribute an additional \$200,000 to the Town to fund and facilitate any future water line improvements by the Town at the Town's sole discretion, and authorizing the Town Supervisor to sign the agreement on behalf of the Town of Niagara. (Risman)

Motion to approve by Councilman Lee second by Councilman Parks

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

Motion carried.

4. Resolution to schedule a hearing on November 18<sup>th</sup>, 2025 at 6:30pm pursuant to Chapter 121-6 of the Town Code concerning why the property at 2920 Birch Avenue should not be repaired, vacated or demolished. (Risman)

Motion to approve by Councilman Parks second by Councilman Teixeira.

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

Motion carried.

5. Resolution to schedule a hearing on November 18<sup>th</sup>, 2025 at 6:30pm pursuant to Chapter 121-6 of the Town Code concerning why the property at 4316 Military Road should not be repaired, vacated or demolished. (Risman)

Motion to approve by Councilman Teixeira second by Councilman Lee.

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

Motion carried.

6. Resolutions to increase the fees for Town cleaning of sidewalks on Military Road in the event the property owner fails to clear the sidewalk after a snow or ice event pursuant to section 212-17 of the Town Code as Follows:

Residential Property - \$30.00 per clean-up

Commercial Property - \$1.00 per lineal foot with a minimum charge of \$50.00 and a maximum charge of \$300.00 per clean-up

In the event payment is not received within thirty days, the costs will be assessed against the property in the same manner as real property taxes pursuant to Town Code section 212-17.  
(Risman)

Motion to approve by Councilman Lee second by Councilman Parks.

Ayes –Virtuoso, Carpenter, Lee, Parks, Teixeira

Noes – none

Abstain – none

Motion carried.

7. Resolution to approve the Annual Special-Use Permit Renewal Request of

- LJ Hair Design-8310 Lockport Road-In Home Occupation -132.17-1-9
- Outlet Car Wash -2727 Military Road -145.11-2-48 (Haseley)

Motion to approve by Councilman Carpenter second by Councilman Teixeira.

Ayes –Virtuoso, Carpenter, Lee, Parks, Teixeira

Noes – none

Abstain – none

Motion carried.

8. Resolution to approve contracts with Municipal Solutions, Inc., Hodgson Russ, LLP, and GHD Engineering to perform services relating to the Town of Niagara's proposed Sewer Consolidation Study to be paid for by New York State grant funding and authorizing the Town Supervisor to sign the agreements on behalf of the Town of Niagara. (Risman)

Motion to approve by Councilman Parks second by Councilman Carpenter.

Ayes –Virtuoso, Carpenter, Lee, Parks, Teixeira

Noes – none

Abstain – none

Motion carried.

9. Resolution to approve for the Town of Niagara to override the tax cap. This action requires a tax levy increase that exceeds the tax cap imposed by state law as outlined in General Municipal Law Section 3-c adopted in 2011 that expressly permits the Town

Board to override the tax levy limit by a resolution approved by a vote of sixty percent of qualified board members (a total of 3 out of 5) (Virtuoso)

Motion to approve by Councilman Lee second by Councilman Parks.

Ayes –Virtuoso, Carpenter, Lee, Parks

Noes – Teixeira

Abstain – none

Motion carried.

10. Resolution to approve the Local Adjustments to the Adjusted Base Proportions used to apportion the 2026 tax levy between Homestead and Non-Homestead, pursuant to Article 1903-4(c), Real Property Tax Law. (Bird)

Motion to approve by Councilman Lee second by Councilman Parks.

Ayes –Virtuoso, Carpenter, Lee, Parks, Teixeira

Noes – none

Abstain – none

Motion carried.

11. Resolution to increase the Town permit charge to the property owner where the Town repairs or installs culvert or drainage pipe in the Town right of way and driveway aprons to the sum of \$300.00 to cover the installation costs for blacktop and labor and to assess the costs against the property in the same manner as real property taxes if not paid within thirty (30) days pursuant to section 135-50 of the Town Code. (Risman)

Motion to approve by Councilman Carpenter second by Councilman Parks

Ayes –Virtuoso, Carpenter, Lee, Parks, Teixeira

Noes – none

Abstain – none

Motion carried.

12. Resolution to accept the resignation of Tom Cuddahee member and Chairman of the Zoning Board. (Virtuoso)

Motion to approve by Councilman Carpenter second by Councilman Lee.

Ayes –Virtuoso, Carpenter, Lee, Parks, Teixeira

Noes – none

Abstain – none

Motion carried.

13. Resolution to declare a negative declaration on the associated SEQR for the final site plan request of Robert Burns. 4501 Hyde Park Blvd./Tax Map#130.15-5-1.2 (Haseley)

Motion to approve by Councilman Carpenter second by Councilman Parks.

Ayes –Virtuoso, Carpenter, Lee, Parks, Teixeira

Noes – none

Abstain – none

Motion carried.

14. Resolution to approve the final site plan request of Robert Burns. 4501 Hyde Park Blvd./Tax Map#130.15-5-1.2. (Haseley)

Motion to approve by Councilman Carpenter second by Councilman Lee.

Ayes –Virtuoso, Carpenter, Lee, Parks, Teixeira

Noes – none

Abstain – none

Motion carried.

## **TABLED**

1. Resolution to adopt the 2026 budget for the Town of Niagara requires a tax levy increase that exceeds the tax cap imposed by state law as outlined in General Municipal Law Section 3-c adopted in 2011 that expressly permits the Town Board to override the tax levy limit by a resolution approved by a vote of sixty percent of qualified board members. The Budget includes the following salaries for elected officials:

Supervisor	\$50,153.00
Council Member (4)	\$16,384.00
Town Clerk	\$61,692.00
Highway Superintendent	\$71,040.00
Justice (2)	\$34,000.00

## **COMMENTS**

**No comments from Councilman Carpenter. Councilman Lee spoke about the rising cost of health care, more people are retiring, government standards require 15-18% in reserve and with all of this what is fiscally responsible to do, unfortunately, is to go over the tax cap. Nothing has been done with previous administration, and we need to continue to keep up with the pace, because we are falling behind. Councilman Parks talked about Trunk or Treat coming up this Monday, lets keep it safe. The kids are our future, and we need to protect them. Councilman Teixeira thanked the residents for coming out to the meeting, he is thankful all the people he got to meet over the years and reflected that he only has two months left in this position. He is thankful for being able to serve 19 years on the board and has always tried to do what is best for the residents, and again thanked the audience for this opportunity. Supervisor Virtuoso spoke about everything that has been taken into consideration, trying not to go over the tax cap, but with all the increases, health care, things falling apart like the highway garage, the recreation center roof needing repair, the new parking lot, its not being done for political purposes, we are just trying to right the wrongs. We are not trying to take from the reserves, there are repairs**

come up, just this week \$8000.00 was spent on a traffic light, and there is going to be a garbage tax coming in 2027, wishing we had a better deal with Amazon, but during construction, no new negotiations can be made, but we have received 6 new hydrants, and the roads have been paved. Now is the time to move forward, now it the time to fix. We are going to continue to work on the budget now that we have the time to work and think. Monday is Trunk or Treat from 5:30-8:30 and Trick or Treating will be on October 31<sup>st</sup>, from 4-7 so everyone can be home before it gets too dark.

#### **ADJOURNMENTS**

Motion to adjourn by Councilman Teixeira, second by Councilman Parks. All in favor. Meeting adjourned at 7:10pm.

**Respectfully Submitted,**

*Melissa Cerrillo*

**Town Clerk**

THE MONTHLY AGENDA IS ON THE TOWN WEBSITE

[www.townofniagara.com](http://www.townofniagara.com)

#### **HALLOWEEN TRICK OR TREAT 10/31 4PM-7PM**



shutterstock - 716257771

#### **In Memoriam**

**Emedio D. Mariano  
Kenneth Zortman  
Cosmo Commisso  
John L. DuFour  
Sam S. Militello  
Sherry A. Scavo  
Todd A. Biro  
Emily A. Dotts**

my name is Thomas Weber from Packard Road Niagara Falls New York here in the town of Niagara hello everyone! |In my opening I'm going to state some facts And opinions and they should not be taken by any means whatsoever personally as it is not intentional. this is for education purposes only.

My only real goal is hopefully open up some thoughts issues concerns that maybe gotten missed by the board and any other person but safety is the real up most important reason for me to be here today ! The safety needs to be put forward for all the townspeople and people passing through our town. A smart person will willingly listen to gain any and all options or information, What they themselves do with the information is by their own due diligence, kindly protect yourselves and the town as qualified immunity is consistently changing state by state including and involving local governments please any questions at the end and I will be happy to answer them if I can by a fact or an opinion remember safety is #1|

please do now meaning tomorrow shut off the main breaker and turn it back on it should default for Packard Road being a yellow flashing light in both directions and a red flashing light towards woodland. Now I think you will have a all legal means to control traffic. it is to tell traffic to proceed with caution taking the liability from the town and putting it onto the driver and possibly most likely also slow the speed down prior to and after the intersection to make it way more safe than it is right now ! Some vehicles are going through that intersection at 60 miles an hour ! the average speed that used to be 45 or 50 has been increased to 60 now since the road has had its new pavement. When it's showing green on the eastbound side and red on the westbound side This is a totally dangerous situation I bet 98% of locals don't even know that ? a normal logical common sense driver seeing a red light facing them would almost assume that the light on the other side would also be red this creates a very dangerous situation!!! They might tend to want to make a left turn into marshes Coming from the air base side of the light they would be pulling in front of an oncoming green lighted driver that is gassing it trying to beat light or worst texting !!! I would say that's probably the worst situation that anybody could even think of and nobody in this town ever seen that as being a problem !!!! this light is malfunctioning and has been for quite a long time not just since the road has been paved as some of you have been led to believe !!! It was bad before I brought it up regarding Packer Road about 1 or 2 meetings ago . Fact this light had 2 malfunctions 1 has been corrected to a somewhat level on 10/10/25 at 1 PM with Mark Carpenter the tech John and myself being present. since that time I have done research and made some conclusions represented by the paperwork in this package. read all of it and educate yourselves to some extent PLEASE !!!!!!

June 17TH

3 min's + 15 sec



all

sent to carpenter

1 message

SENT TO MAREC.

Sun, Oct 19, 2025 at 9:24 AM

thomas weber

To: thomas weber

Hey guy if possible for education purposes only 😊  
Try to get you rich Sylvia and myself together prior to Tuesdays board meeting .. i believe i have some very important information that the town should 🙏🙏🙏 be discussing within yourselves before making any real moves or signing any contracts...

You know i only care about saving life's !!!...lets use a little positive time now before its too late in regards to protecting the town residents and anyone who passes thru it..

If i remember correctly 😊

If power goes off to light it goes into a caution mode automatically..  
And stays that way until ( usually the police ) reset it !!!!!.

Just dont reset it !!!!!

Let it stay caution for all directions!!!

It would be totally safer then it is right now ...  
And not cost 1 penny 🙏🙏🙏...

This by itself should help protect the township from negligence of not having a quick repair or solution 🙏🙏🙏...

(no subject)

1 message

From MARE C,

[REDACTED]@gmail.com&gt;

To: [REDACTED]@gmail.com&gt;

Mon, Oct 20, 2025 at 5:44 PM

?LIE?

Hi Tom, the street light is repaired at Woodland Drive and Packard Road. The turn arrow had stopped when they paved the road they removed the ground sensor. A ground sensor cannot be put back in until its striped and that wont be done until the paving is complete at least. Therefore, a camera sensor needed to be purchased. It was a dangerous situation at that intersection. The camera was \$8,000 and the wiring is not complete more costs to come.

He said SYLVIA SENT OUT

THIS TO COUNCIL  
TODAY

10/20/25

THIS IS A  
INACCURATE STATEMENT  
+ A WASTE OF \$

(no subject)

1 message

TOWN LAWYER

Thu, Oct 16, 2025 at 4:15 PM

From: [redacted] <[redacted]@gmail.com>  
To: [redacted] <[redacted]@gmail.com>

READ ALL  
CAREFULLY

AI Overview



+10

Liability for a malfunctioning traffic light accident in New York can fall on the municipality for negligence in maintenance, the manufacturer if there was a design or manufacturing defect, or even other drivers if they fail to act appropriately at the intersection. To determine liability, evidence must show how the malfunction caused the accident, and legal action may be required to recover damages from the responsible parties. [OBJ]

Potential liable parties

The municipality: The city or town is responsible for maintaining traffic signals. They could be liable if they failed to properly inspect, repair, or respond to known issues.

The manufacturer: If the traffic light failed due to a defect in its design or manufacturing process, the company that made the signal could be held responsible.

Other drivers: A driver who caused a crash after the light malfunctioned could be held liable, especially if they fail to stop and proceed as if at a four-way stop. [OBJ]

How liability is determined

Evidence is crucial: To establish liability, you need to prove that the traffic light was malfunctioning and that this malfunction directly led to the accident.

Negligence must be shown: The city or another party must have acted negligently. For example, if there was a history of complaints about the light that went unaddressed, it could be considered negligence.

Multiple parties can be liable: It is possible for more than one party to be held responsible for the accident. An attorney can help identify all potentially liable parties.

NO ONE IS ACCOUNTABLE OR HAS BEEN!

HIGHWAY CALLS IT IN. WHAT A JOKE!!!

OUR TOWN SHOULD OF HAD

A QUALIFIED TECH EMPLOYEE IN

CHARGE THEN + NOW. DOCUMENTING  
OPERATION AT LEAST ON A WEEKLY BASIS!!!

WE HAVE NO BUSINESS OWNING

+ OPERATING A TRAFFIC CONTROL

DEVICE ESPECIALLY A LIGHT

ON A COUNTY OR STATE ROAD !!!

Including link: <https://azdot.gov/>

1 message

To: [REDACTED]@gmail.com>  
From: [REDACTED]@gmail.com>

Sun, Oct 19, 2025 at 9:39 AM

"Skip to main content  
State of Arizona  
OpenBooks  
Citizens Aide  
Vote  
Travel ID

Search  
Home

FAQ - Pros And Cons Of Traffic Signals  
FAQ - Pros and Cons of Traffic Signals  
FAQ - Pros and Cons of Traffic Signals  
Pros and Cons of Traffic Signals

Traffic signals are electrically operated traffic control devices that alternately direct traffic to stop and to proceed. This page answers questions about what factors enter into traffic engineers' decisions to install traffic signals. Because there is a common belief that signals are the answer to all traffic problems at intersections, this page is offered in the interest of developing broader public understanding about what signals will do and don't do.

This content of this page is based on a booklet called "Are Traffic Signals Really a Cure-All?", published by the Arizona Department of Transportation.

What are the advantages of traffic signals?

What are the disadvantages of traffic signals?

What are the effects of an unjustified traffic signal?

Because of the widespread belief that traffic signals offer the solution to all intersection traffic-control and accident problems, a number of signals have been installed nationwide where no legitimate operational warrant exists. Traffic records clearly show that the attitudes and misunderstandings that sometimes lead to unjustified installations should be resisted. It is important that the selection and use of this traffic control device be preceded by a thorough study of traffic and roadway conditions and that the determination of the type of control and method of operation be based on the study data.

Traffic signals should be used only where lesser forms of control have proven ineffective because signals almost always create more "overall intersection delay." In fact, minor movements may experience excessive delay, particularly if the signal is improperly timed. As a result, many drivers switch to less desirable alternate routes or to residential streets to avoid the added delay.

LOCAL'S USE LAUR

AND CUT THRU DEAN BROWN  
+ APPLE

CHILDREN BIKES  
+ BABY STROLLER'S

MVD Services  
Hours and Locations  
Online Services  
Driver Services  
Business Services  
MVD Forms and Publications  
News  
ADOT Blog  
News Releases  
Arizona Highways Magazine  
Careers  
Current Job Opportunities  
Employee Benefits

(no subject)

1 message

To: [redacted]@gmail.com>  
[redacted]@gmail.com>

Thu, Oct 16, 2025 at 3:43 PM

AI Overview

+3

No, you are not supposed to stop at a flashing yellow light; you should proceed with caution, slowing down and being alert for other vehicles and pedestrians. A flashing yellow light is a warning to be cautious, not an instruction to stop unless necessary to avoid a collision.

Proceed with caution: Slow down as you approach the intersection.

Look for other traffic: Be aware of oncoming traffic, cross-traffic (which may have a flashing red light), and pedestrians.

Yield if necessary: Yield to others when the situation requires it to avoid an accident.

Do not treat as a stop sign: A flashing yellow light means to proceed with caution, while a flashing red light means you must stop as if it were a stop sign.

*DRIVER'S SEE GREEN AND GAS IT  
= ZERO CAUTION*

(no subject)

1 message

[REDACTED]@gmail.com>  
To: [REDACTED]@gmail.com>

Thu, Oct 16, 2025 at 3:49 PM

## AI Overview

[REDACTED]  
[REDACTED]  
[REDACTED]  
+4  
[REDACTED]

There is no single speed limit through all intersections in New York; it depends on the posted signs and road type, but you must always drive at a speed that is reasonable and prudent for the conditions. Posted limits vary by area, but a general guideline is that residential areas are often 30 mph and school zones are 20 mph, while highways have limits from 55 to 65 mph. Regardless of the posted limit, you are required to slow down for safety at any intersection, and it is illegal to speed so much that it is unsafe or hinders traffic. [REDACTED]

Key points for driving through intersections in New York

Always check for signs: You must obey the posted speed limit, which is often shown on signs before you reach the intersection.

Drive for conditions: New York law requires you to drive at a speed that is "reasonable and prudent" given the actual and potential hazards, which includes the intersection.

Residential and school zones: Look for signs indicating lower speed limits in residential areas (often 30 mph) and school zones (often 20 mph).

Highways: Speed limits vary on highways, with some interstates having limits of up to 65 mph, so always check for signs.

Do not pass at intersections: It is generally unsafe and often illegal to pass another vehicle when approaching or within 100 feet of an intersection.

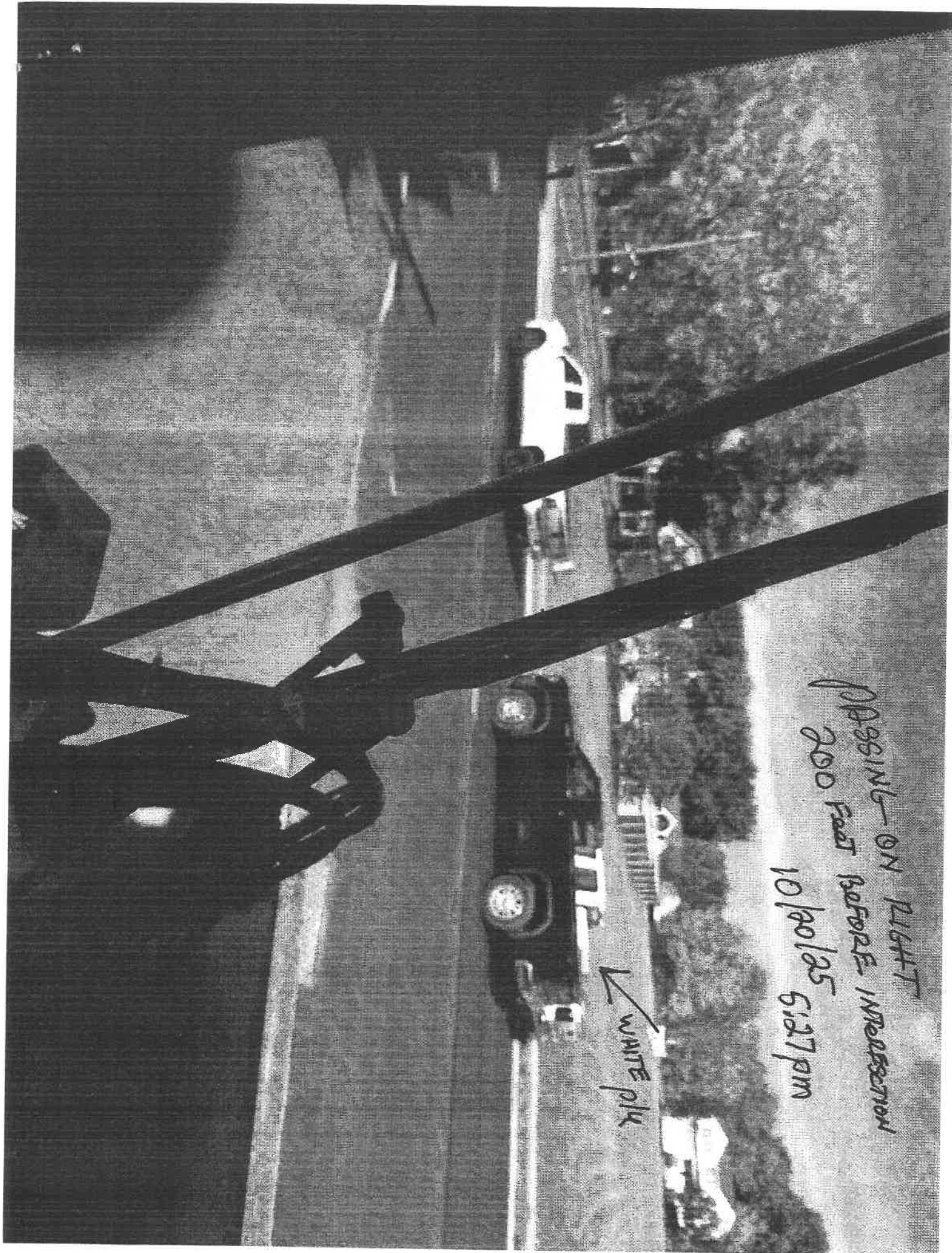
Happen's ALL THE TIME  
HERE

UP TO 200 FEET  
EVEN WHEN WE HAD ROAD  
PAINT!!!

BULLSHIP WAITING ON  
COUNTY TO MARK ROAD

PASSING ON RIGHT  
200 Feet BEFORE INTERSECTION  
10/20/25 5:27pm

← WHITE PKU



(no subject)

1 message

[REDACTED]@gmail.com>  
To: [REDACTED]@gmail.com>

Thu, Oct 16, 2025 at 3:27 PM

Overview

+2

A flashing yellow light is not safer than a malfunctioning light, as a flashing yellow light is a signal to proceed with caution, while a malfunctioning light (like a completely dark one) should be treated as a four-way stop. Both situations require extra vigilance, but the rules for a designated flashing yellow are different from the rules for a non-functioning light. A flashing yellow light means to slow down and be alert for cross-traffic, but it does not require a full stop unless necessary for safety.

OUR BEST + SAFEST  
& OPTION NOW  
TODAY  
10/21/25

SHOULD OF BEEN DONE  
MONTH'S AGO  
WHEN MARK C. SAID I WAS  
WRONG!  
JUNE 17TH  
AT BOARD MEETING



| Packard Road is and was dangerous When did it start ??? could have started 40/50 years ago by placing a light That possibly should not of been placed there!!! By reading some of the traffic study information I provided It's very well possible that it should have stayed As a sign only stop sign maybe a double stop sign Or just a red flashing light along the side of the road on woodland Way more cost effective with a flashing red in a sign No traffic light needed| |p|Please do not ignore this clear and present danger that has existed is existing will continue to exist and get much worse as Amazon opens up now is the time to address all safety issues and not wait until something horrible happens there is clearly On Packard Road not enough shoulder to sustain any stopped traffic especially large trucks for any reason |a|As simple as a flat tire broken down engine whatever the reason Even a stopped Postal vehicle On some parts of Packard| |t|There is not enough shoulder To sustain Or allow for the safe continuing passage of other traffic especially an ambulance and or a fire truck without forcing A vehicle going the same direction It forces them to cross the center line to safely go around the postal truck which is now a head on collision!!!! If it's a semi on the side of the road It's totally bad enough in certain areas going around the garbage truck Packard Road by its legal description or designation is Not a truck route lockport road is Also note the speed limit here should be 30 miles an hour maximum from Military Road out to where Packard meets Lockport Road In front of the new Amazon facility And controlled by those lights 30 miles an hour would also reduce The need for these trucks which shouldn't be here anyway of using their engine brakes When they won't be required .

there is on the books In New York State I believe something called the Sleep Act So we're going to bring attention to engine brake noise,Engines racing with RPMs from the stoplight or pulling out of marshes ,Brake chattering semi's with worn brake systems,Horns From mad people Texting while waiting at light ,Wild car exhausts Boom radios from SUVs And actually motorcycles themselves with radios And loud exhaust Do we or do we not have a sound ordinance in this town??? p.s. This also happens all night long!!! And because most of you don't live here it don't bother you 30mph max Needs to be Clearly Shown with signage And enforced By our police department This is clearly a residential area . | Onto the issue of Of the light itsel I have been told we own it My biggest question is why do we own it It's not logical to have a light owned by the town when it's a county road Why is the county not liable for traffic control The town of Niagara government and personnel should seek help by the experts in the traffic control infrastructure by more than 2 possibly 3 unbiased companies With up to date knowledge not associated or paid by Amazon also in my feeling we should avoid the contractor that we use at this point in time He does our maintenance and repair in my opinion only... does not have the most updated information and hands on experience To act or recommend in a fiduciary manner Our now needs and our future needs First we should not own the light located on Packard and Woodland it's an open liability for the town as in lawsuits etc.. Second I would question if the light permit was officially approved by the state or county By all legal measures and through a viable expert traffic study even if that was done 40 or 50 years ago . new world new times new issues. There wasn't even cell phones then this light is dinosaur And cannot be upgraded to any of the updated equipment without being replaced We do however have the infrastructure with the poles and a lot of the wiring and also the box being there So I don't see a real added cost for all the basic needs!!! |Personally I do not see a light being actually needed here As the proper signage Should suffice also recommended In some other traffic studies with the same circumstances Shown in my

documentation It is where signage can be actually a better use than a light. On some intersections Some local examples that exist now that do Not have light in our local area is Packard and Young, Apple, Jordan, Woodland Heights, Hasley, further Down Lockport Road is the air base , Entrance induction drive two of them and Hoover. They have no lights and they all have faster speeds!!!. On Porter Road you got Young Street, Recovery road, Royal Park apartments, fourth Avenue, again no lights.

Porter and Tuscaroras light is also malfunctioning! There will be nobody around And instead of staying green for Porter It goes red with nobody around And why do we have a light on Tuscarora and Effie ? okay maybe No reason to stop people on Tuscarora. fourth I believe the light on Packard has caused more accidents than it's prevented You can't say Marsh's needs it When the light actually faces the grass next door Who's the Einstine authorizing that ! It clearly causes confusion entering Packard. To Amazon's responsibility All we ask is that all of Amazon's traffic large and or small ( of any size ) Except local customer deliveries Stay on and follow designated signage of a truck route That should lead Down Lockport Road To military To route 31 Amazon should be held responsible in their company policy and rulebook for inbound and outbound traffic regulation and enforcement with a clear detailed map Within the book . Especially for non-English speaking and reading drivers. their security should police the surrounding roads for violators to take the presence pressure off local police why should taxpayers be footing the bill for any more than we are now . Why should we hire more police and pay overtime . Our police are for our protection not them !!! There is two clear And present Situations here as being two options. Option #1| starts at the Packard Road exit on the 190 = 4 lights, 1.6 miles and 4 minutes down packard. It's a 95% Residential area Non-sufficient shoulder width And has a great possibility of a major backup if there's any accidents or breakdowns Or if the facility itself backs up ( and they do !!!) A backup Will create A great strain On all The other traffic lights and people! In our town We do not need Trucks parked all along Packard Road Perfect example What happened lately When Canada customs Computers went out . Next option #2 Starts at the 190 and Route 31 = 2 lights 3.2 miles and 6 mins It's maybe 2% residential It has very wide shoulders on both sides of the road There's no effect if there's a backup or accident And no strain On any other light in the town ! Asking for 1.6 Additional miles and 2 minutes of time Is Clearly Not an unreasonable request For anyone to make ! Truckers themselves Will love it !!!The lesser amount of cars And stop and goes . If vehicles traveling to and from Amazon Off the truck route Ticket them Word will get around very quickly . They'll learn how to speak English and read road signs real quick.!!!!.

side note you cannot do a real traffic count now as most locals avoid packard now due to construction so careful how you spend money for equipment now thats wasted on equipment needed in 1 year and beyond !!!!

# SECTION 1660

## Traffic regulation in all towns

Vehicle & Traffic (VAT) CHAPTER 71, TITLE 8, ARTICLE 41

---

§ 1660. Traffic regulation in all towns. (a) The town board of any town with respect to highways outside of villages in any such town, but not including state highways maintained by the state except with respect to subdivisions six, eight, nine and ten, subject to the limitations imposed by section sixteen hundred eighty-four may by ordinance, order, rule or regulation:

1. Designate county roads and town highways as through highways and order stop signs, flashing signals or yield signs erected on county roads or town highways at specified entrances to such through highways or designate any intersection except those where one or more entering highways is a state highway maintained by the state as a stop intersection or a yield intersection and order like signs or signals at one or more entrances to such intersections.
2. Upon a roadway which is divided into three lanes, allocate the center lane exclusively for traffic moving in a specified direction.
3. Order signs erected directing slow-moving traffic, trucks, buses or specified types of vehicles to use a designated lane, or with signs, signals or markings designate those lanes to be used by traffic moving in a particular direction regardless of the center of the roadway.
4. Determine those highways or portions of highways which shall be marked to indicate where overtaking and passing or driving to the left of or crossing such markings would be especially hazardous in accordance with the standards, minimum warrants and sign or marking specifications established by the department of transportation.
5. Regulate traffic by means of traffic-control signals.

DOESN'T SAY LIGHTS

MORE  
NOT PRINTED

6. (i) License, regulate or prohibit speed contests, races, exhibitions of speed, processions, assemblages, or parades. Whenever such a speed contest, race, exhibition of speed, procession, assemblage or parade authorized by a local authority will block the movement of traffic on a state highway maintained by the state, or on a highway which connects two state highways maintained by the state to make a through route, for a period in excess of ten minutes, such authority must, prior to such blocking, provide and designate with conspicuous signs a detour adequate to prevent unreasonable delay in the movement of traffic on said state highway maintained by the state.

(ii) Prohibit vehicles engaged in retail sales of frozen desserts as that term is defined in subdivision thirty-seven of section three hundred seventy-five of this chapter directly to pedestrians from stopping for the purpose of such sales on any highway within such town or on all such highways. Nothing herein shall be construed to prohibit the operator of such vehicle from stopping such vehicle off of such highway, in a safe manner, for the sole purpose of delivering such retail product directly to the residence of a consumer or to the business address of a customer of such retailer.

7. Prohibit or regulate the operation and the stopping, standing or parking of vehicles in cemeteries and in public parks.

8. Provide for the removal and storage of vehicles parked or abandoned on highways during snowstorms, floods, fires or other public emergencies, or found unattended where they constitute an obstruction to traffic or any place where stopping, standing or parking is prohibited and for the payment of reasonable charges for such removal and storage by the owner or operator of any such vehicle.

9. Provide for the installation, operation, maintenance, policing and supervision of parking meters, establish parking time limits at such meters, designate hours of operation of such meters, and, except as provided in section twelve hundred three-h of this chapter, fix and require the payment of a fee applicable to parking where such meters are in operation. The town board of any town may exercise these powers on behalf and at the expense of a public parking district with respect to highways outside of villages but within such public parking district, in which event the fees from such parking meters shall belong to such district, and the cost of operation and maintenance thereof shall thereafter be borne by such public parking district.

is a town or village libible for a owned traffic ligl



AI Mode All Images News Short videos Shopping Forums More Tools

## ◆ AI Overview

In New York, a town or village can be held liable for a traffic light that it owns, but liability depends on which government entity has jurisdiction over the specific roadway. The complexity arises because road ownership can be shared between the state, county, and local municipality.

### Factors that determine liability

- **Jurisdiction over the road:** Liability is tied to which entity owns and is responsible for maintaining the highway where the traffic signal is located.
  - **Towns and villages:** Municipalities are authorized to install and maintain traffic signals on town highways and roads that are not part of the state highway system. In these cases, the local municipality is liable for any incidents related to the signal.
  - **New York State Department of Transportation (NYSDOT):** NYSDOT is responsible for traffic signals on state highways. However, the state may permit a municipality to install and maintain a signal on a state highway. In such a case, the NYSDOT's directive states that the state may enter into a maintenance agreement with the municipality.
- **Maintenance agreements:** The transfer of maintenance responsibilities can complicate liability. While a town's duty is generally "non-delegable," New York courts have suggested that an agreement specifying a different party's responsibility for maintenance (such as with a county) could shift liability for that function.
- **Permit-based installations:** A municipality or even a private developer can apply to NYSDOT for a permit to install a traffic signal on state-owned property. If approved, a maintenance agreement is established that assigns responsibility for the signal.

### What this means for local governments

A town or village can own and maintain a traffic light, but its legal exposure for liability is a direct consequence of its jurisdiction over the road and its specific agreements with state

MORE NOT PRINTED

can a traffic light count cars and speed an X



AI Mode

All

Images

Videos

Short videos

Forums

Shopping

More ▾

Tools ▾

## ◆ AI Overview

Yes, modern traffic lights can count cars and measure their speed and types of vehicles using sensors, cameras, and radar. These technologies allow traffic signals to adapt to real-time conditions, such as adjusting green light durations based on traffic volume, and are used for both traffic management and enforcement. ↻



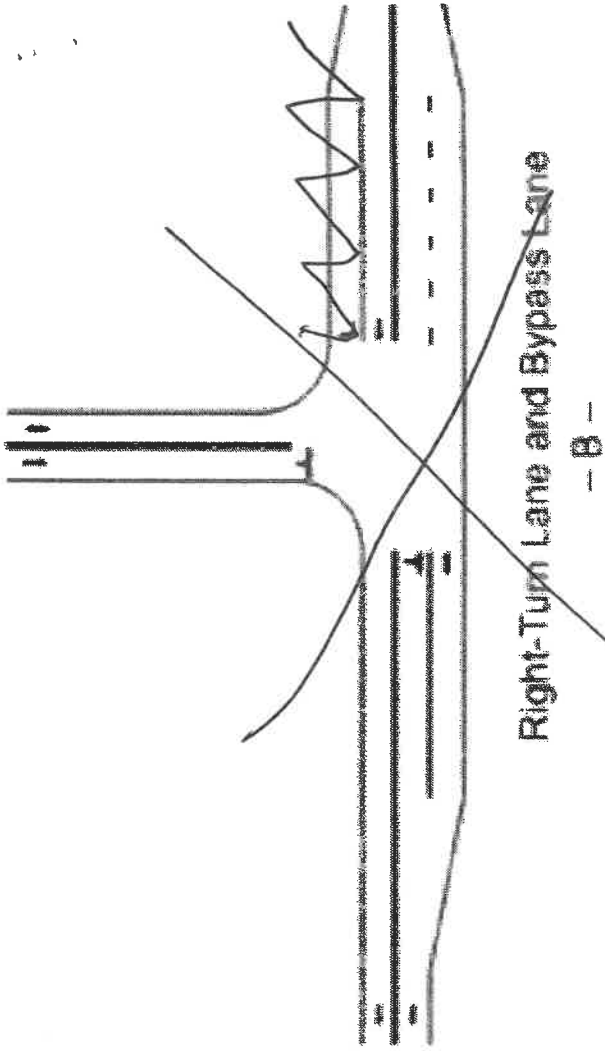
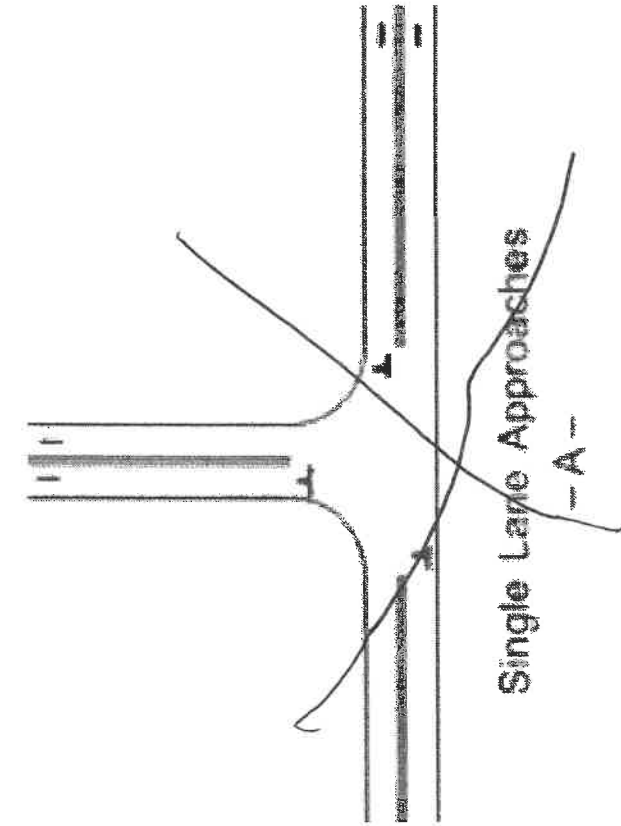
## How they do it

- NO** • **Video cameras:** Modern cameras can detect vehicles, count them as they cross a virtual line, and even recognize different types of vehicles.
- YES** • **Radar sensors:** These sensors use Doppler effect or other methods to detect vehicle speed, count them, and classify them by size and type. Newer radar units can generate 3D or 4D data for more detailed information.
- NO** • **Inductive loops:** These are wires embedded in the road that detect the metal mass of a vehicle as it passes over them, primarily used for presence detection and basic counting.
- YES** • **Infrared sensors:** These can detect vehicle presence, measure speed, classify vehicles by length, and measure queue lengths. ↻

## What the data is used for

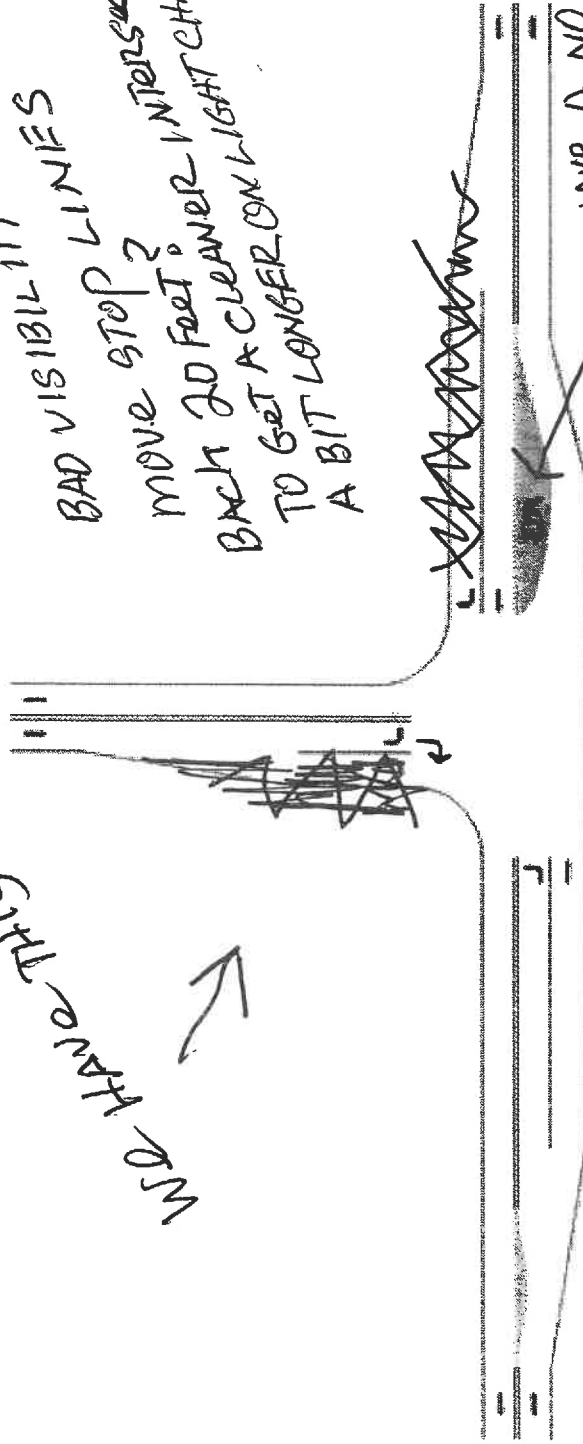
**YES WE WANT**

- YES** → • **Traffic management:** The data helps traffic controllers dynamically adjust signal timings to improve traffic flow, reduce delays, and minimize idling time and emissions.
- NO** • **Enforcement:** Red light cameras and speed cameras use these same technologies to detect and photograph violations, though their primary purpose is enforcement rather than traffic flow control.
- YES** • **Data collection:** The information is used for traffic studies, planning, and improving intersection design. ↻



WSD HAVE THIS TYPE

BAD VISIBILITY OF LIGHT  
MOVE STOP LINES  
BACK 20 FEET? INTERSECTION  
TO GET A CLEARER LIGHT CHANGE  
A BIT LONGER ON LIGHT



WE HAVE A NO GO  
BUT EVERYONE USES AS LEFT  
TURN INTO MARSH'S



✓ JOHN (Tech)

10/14/25

I spoke with him  
LAUGHED ABOUT LAWN  
PAGE IN 6





Tom's Lawn Service  
7625 Packard Road  
Niagara Falls, New York 14304

716-998-9220

WARNING!

I GIVE TO ALL  
TRUCK'S COMING  
+ GOING WHEN  
POSSIBLE

THE RED LIGHT YOU SEE  
WHEN PULLING OUT OF MY  
PROPERTY!!!

IS MOST LIKELY GREEN ON OTHER  
SIDE! YOU MUST USE GREAT CAUTION!!!

YOU THE DRIVER MUST ASSUME  
ON COMING TRAFFIC WILL NOT STOP  
OR SLOW DOWN! DO NOT PULL OUT!  
AND GET HIT

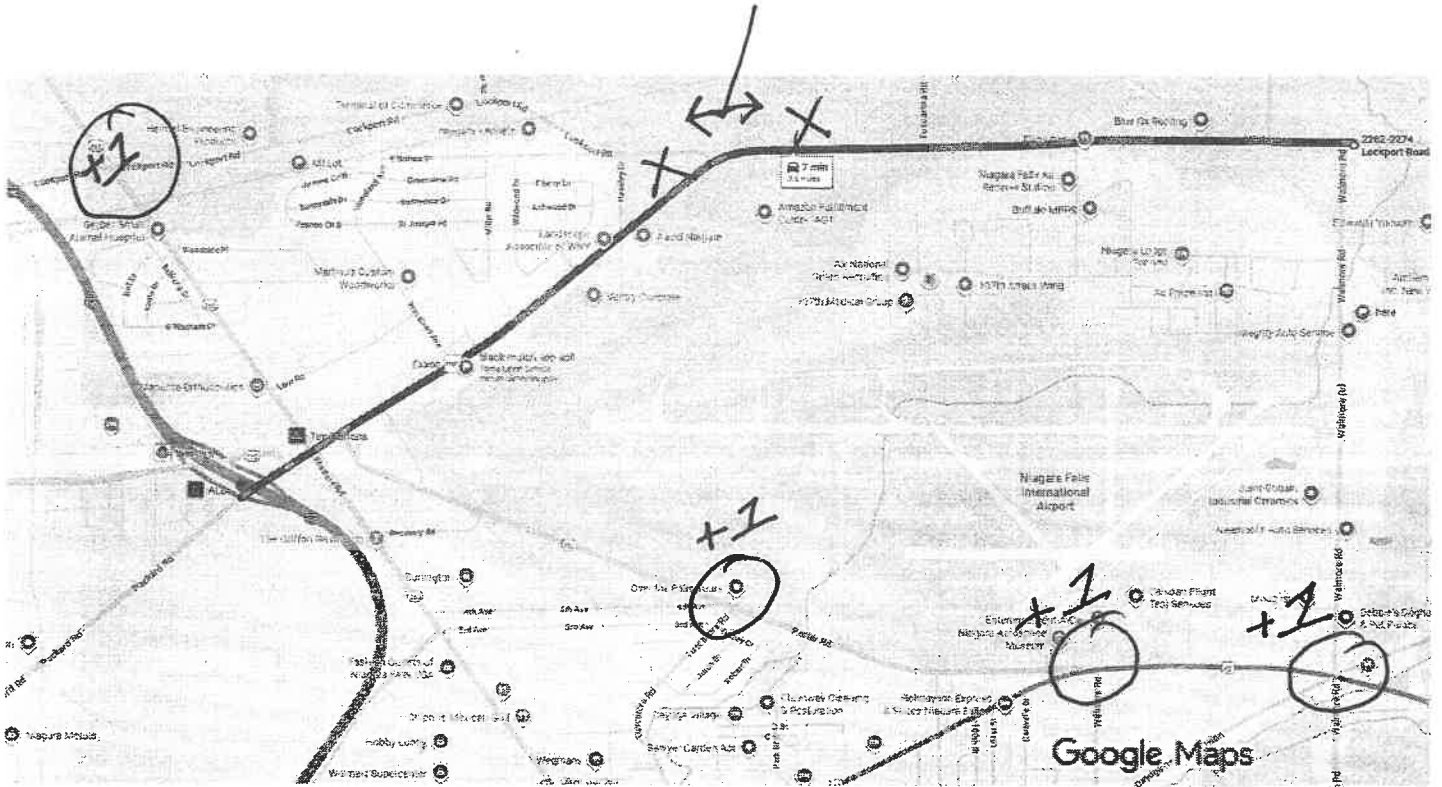
BE SAFE!

P.S. WHOLE PROPERTY, BUSINESS  
EQUIPT. HOUSE TURN KEY FORSALE

2262-2274 Lockport Rd, Sanborn, NY 14132 to 6501-6511 Packard Rd, Niagara Falls, NY 14304

9 lights 3.5 miles plus amazons 2?

Google Maps



Map data ©2025 Google 1000 ft



via Lockport Rd and Packard Rd  
6 min without traffic

**7 min**  
3.5 miles

Explore nearby 6501-6511 Packard Rd



Restaurants



Hotels



Gas  
stations



Parking  
Lots



More

**11 POSSIBLE  
STOP'S IN 3.5 MILES**

**EMISSIONS STUDY!**

**NOW + LATER**

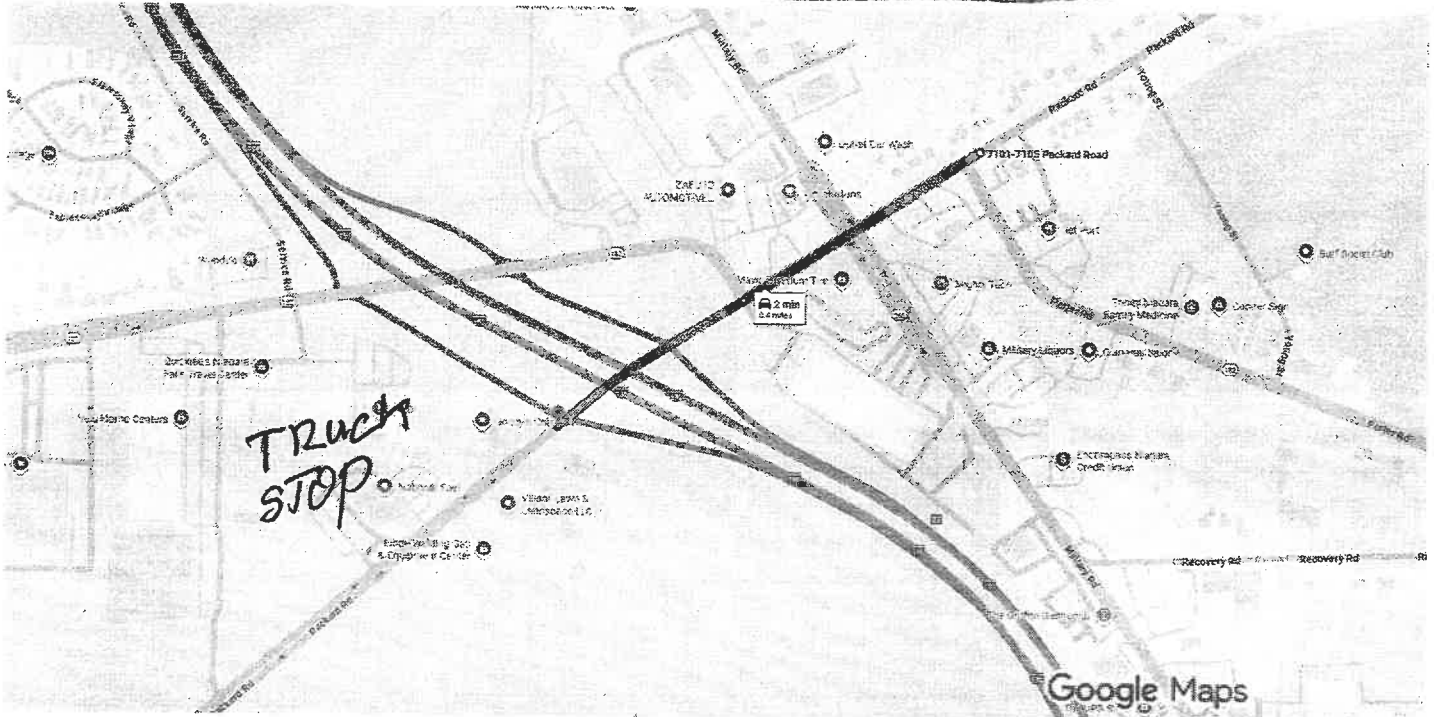
**15 LIGHT'S AFFECTED IN AREA**

Google Maps

7101-7105 Packard Rd, Niagara Falls, NY 14304 Drive 0.4 mile, 2 min  
to 6498-6472 Packard Rd, Niagara Falls, NY 14304

5 lights .4 miles

pull storage side make it flashing yellow



Map data ©2025 Google 200 ft



via Packard Rd

Fastest route, the usual traffic

2 min

0.4 mile

Explore nearby 6498-6472 Packard Rd



Restaurants



Hotels



Gas  
stations



Parking  
Lots



More

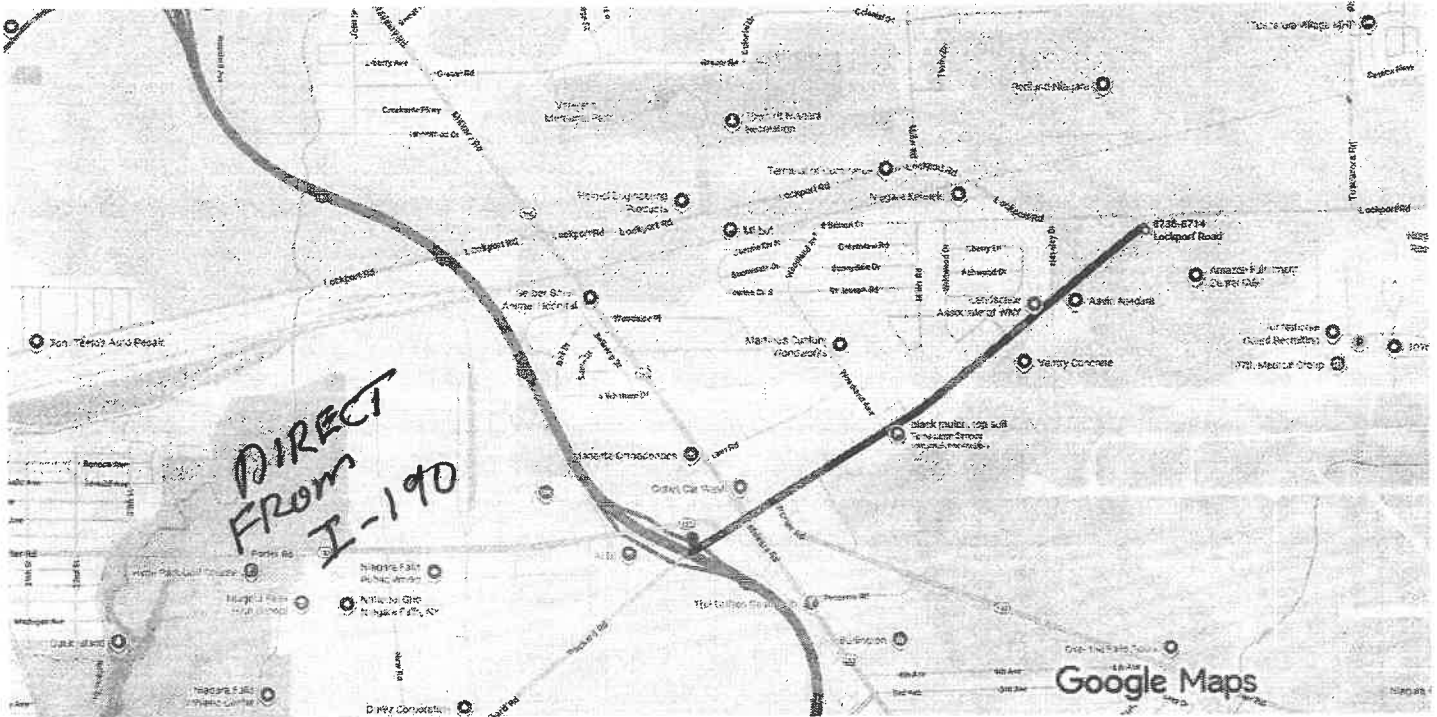
CONGESTED

NO!

5 POSSIBLE  
STOP'S IN 0.4 MILE

Google Maps

8736-8714 Lockport Rd, Niagara Falls, NY 14304 to 6564-6512 Packard Rd, Niagara Falls, NY 14304  
Drive 1.6 miles, 4 min  
worst option



Map data ©2025 Google 1000 ft



via Packard Rd

4 min

Fastest route, the usual traffic

1.6 miles

Explore nearby 6564-6512 Packard Rd



Restaurants



Hotels



Gas stations



Parking Lots



More

~~IF~~ POSSIBLE  
STOP'S 1.6 MILES

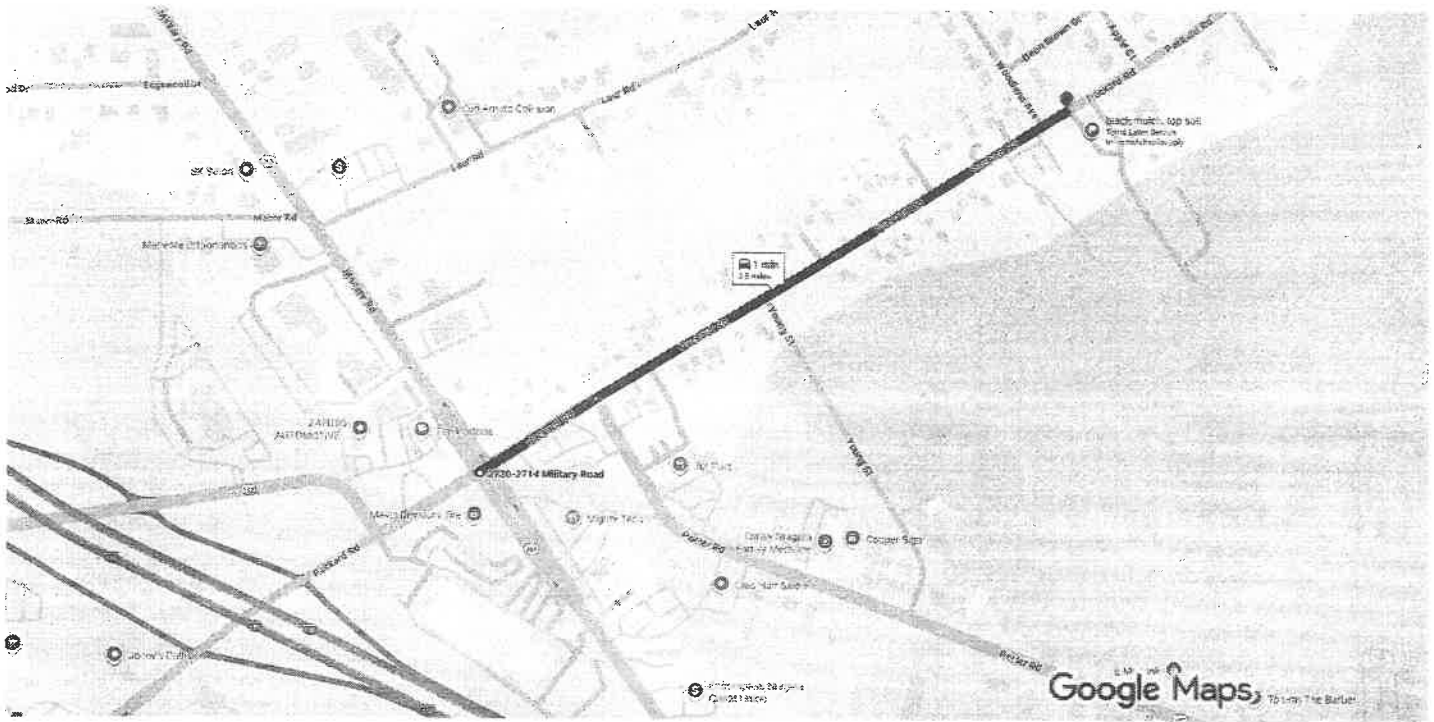
NO! → 99% RESIDENTIAL



2720-2714 Military Rd, Niagara Falls, NY 14304 Drive 0.5 mile, 1 min  
to 7609-7617 Packard Rd, Niagara Falls, NY 14304

3 lights .5 miles

Google Maps



Map data ©2025 Google 200 ft



via Packard Rd

Fastest route, the usual traffic

1 min

0.5 mile

Explore nearby 7609-7617 Packard Rd



Restaurants



Hotels



Gas  
stations



Parking  
Lots



More

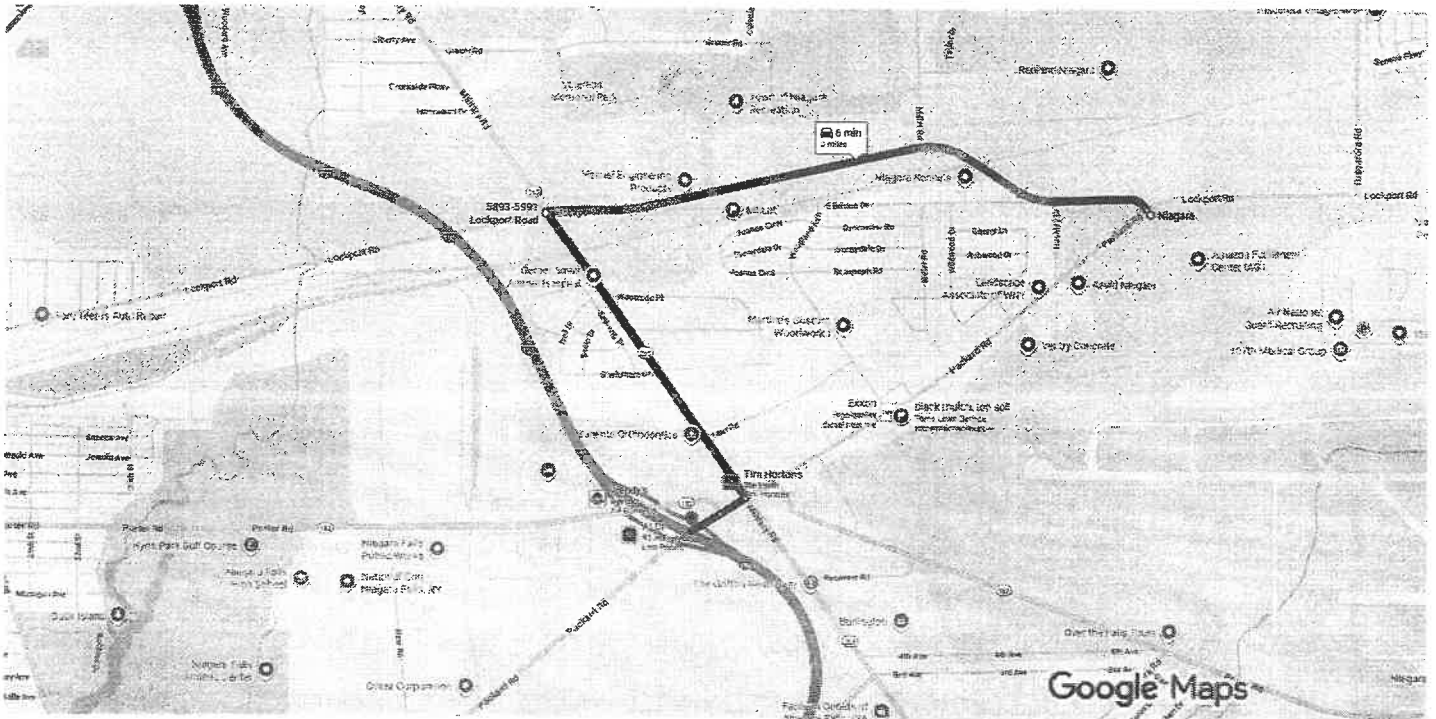
3 possible  
stop's IN 0.5  
mile

NO! 100% RESIDENTIAL

Niagara, New York to 6564-6512 Packard Rd, Drive 3.0 miles, 6 min  
Niagara Falls, NY 14304

Google Maps

3 lights 3.0 miles almost no residential



Map data ©2025 Google 1000 ft



via Lockport Rd

Fastest route now due to traffic conditions

6 min

3.0 miles

2 POSSIBLE  
STOP'S  
3.0 MILES

Explore nearby 6564-6512 Packard Rd



Restaurants



Hotels



Gas  
stations



Parking  
Lots



More

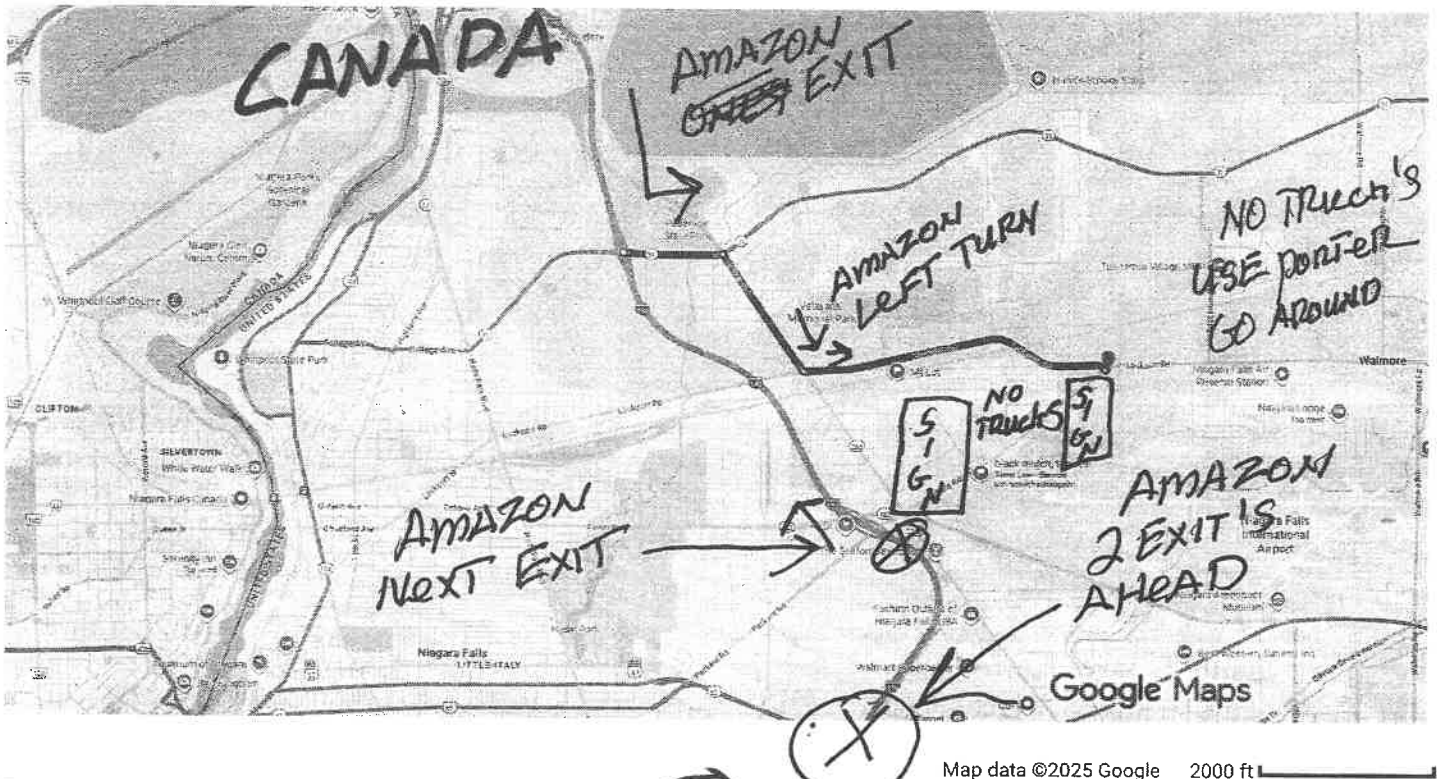
YES! BUT WILL  
AFFECT MILITARY / PORTER  
HORRIBLE PACKARD

I-190, Niagara Falls, NY 14305 to 8736-8714  
Lockport Rd, Niagara Falls, NY 14304

Drive 3.2 miles, 6 min

Google Maps

2 lights 3.2 miles all state roads 95% residential free very wide  
shoulders and 2nd lane breakdowns ( no road closings accidents)



via NY-31 E

Fastest route now due to traffic  
conditions

6 min

3.2 miles

Explore nearby 8736-8714 Lockport Rd



Restaurants



Hotels



Gas  
stations



Parking  
Lots



More

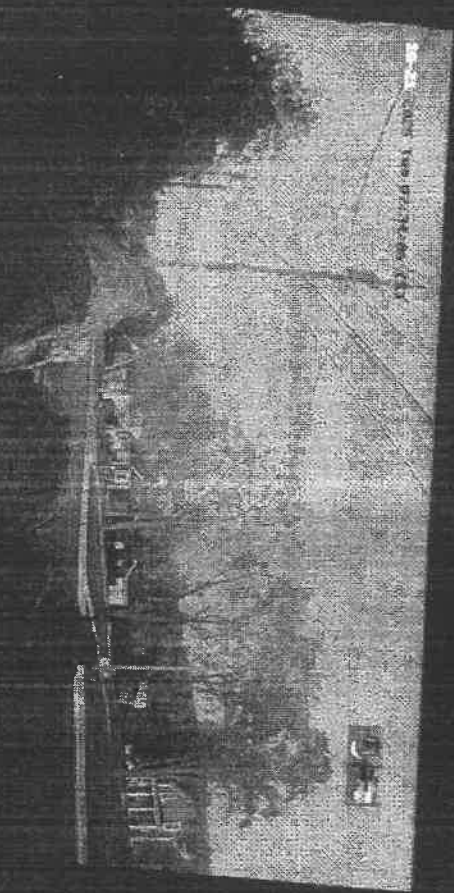
YES!

BEST OPTION  
LEAST EXPENSIVE  
JUST SIGN'S

2 POSSIBLE  
STOP'S  
3.2 MILES

AMAZON  
TRUCK ROUTE  
NY DOT+6PS

AMAZON TRUCK  
BACKUP HAS PLENTY  
OF SHOULDER'S DURING  
WITH NO TRAFFIC  
(NORMAL) DELAY'S



CAMERA 05

LIGHT CAM 05  
 START'S 10/18/00  
 0133HR  
 3-7V'S



Ship Engine Room Ventilation Sound 1  
 Note: Sounds 1 (Bell, Siren, Cam 1 100  
 3-7V'S 00 2-2-2000





Normal

Audio Stream

10/20/2015 Mon 01:34:55

10/20/25 MON

0934H2

01:10:2004 01:28:19 - 10:21:2625 10:45:12

0 1 2 3 4 5 6 7 8 9 10 11 12

0 1 2 3 4 5 6 7 8 9 10 11 12

0 1 2 3 4 5 6 7 8 9 10 11 12

CAMERA 00

5:45  
CAP

Camera 01  
Camera 02  
Camera 03  
Camera 04  
Camera 05  
Camera 06  
Camera 07  
Camera 08  
IPCamera 01  
IPCamera 02

Disable reduce 30s timeout  
playback channel 1000000  
when need fluent play

26	27	28	29	30	31
26	27	28	29	30	31

0934

3pm

1566

8pm

2000

2166

NET ACCOUNT

ALWAYS BUSY

10-21-2025 Tue 17:22:53

10/21/25  
17:22:55 HR  
TUES

Camera 06

NOT A COUNT

ALWAYS  
BUS

07-17-2024 02:25:15 - 10-21-2025 17:24:58

10 20 16 15 14 13 12 11 10 9 8 7 6 5 4 3 2 1

1 MIDNIGHT  
3am 5am

1 1200

17:22

**TOWN OF NIAGARA  
TOWN BOARD**

Combined Resolution Issuing SEQRA Negative Declaration and Adopting Local Law  
No. **3** of 2025 Adopting the Zoning Code of the Town of Niagara and Zoning Map

WHEREAS, on or about November 19, 2019, the Town Board of the Town of Niagara ("Town Board") adopted a Comprehensive Plan Update in accordance with Section 272-a of the New York State Town Law to identify the goals, objectives, principles, guidelines, policies, standards, and strategies for the immediate and long-range protection, enhancement, growth, and development of the Town; and

WHEREAS, in furtherance of the Comprehensive Plan, the Town Board appointed a technical advisory committee to work in conjunction with Ingalls Planning & Design to review and update the Town's zoning regulations to align land use controls with the Comprehensive Plan's vision and objectives; and

WHEREAS, on March 27, 2025, the Town held a public open house for the Zoning Code of the Town of Niagara ("Zoning Code") to solicit community input on the draft Zoning Code and Zoning Map; and

WHEREAS, on June 17, 2025, the Town Board introduced the proposed Zoning Code and scheduled a duly noticed public hearing for July 15, 2025; and

WHEREAS, the public hearing was opened on July 15, 2025, and remained open while the Town Board received further comments and recommendations; and

WHEREAS, on July 29, 2025, a complete statement of the proposed action was referred to the Niagara County Planning Board for review and recommendation pursuant to General Municipal Law §239-m; and

WHEREAS, on August 18, 2025, the Niagara County Planning Board recommended approval with modifications; and

WHEREAS, the Town Board continued the public hearing on August 19, September 16, and October 21, 2025, after which the hearing was closed; and

WHEREAS, the adoption of the Zoning Code and Zoning Map constitutes a Type I action under the State Environmental Quality Review Act ("SEQRA") and 6 NYCRR §617.4(b)(1); and

WHEREAS, the Town Board, as the only involved agency, assumed Lead Agency status and reviewed the Full Environmental Assessment Form (FEAF), Parts 1-3, which are incorporated herein by reference; and

WHEREAS, after thorough review of the proposed action and the FEAF, the Town Board has determined that adoption of the Zoning Code and Zoning Map will not result in any significant adverse environmental impacts;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board hereby issues a Negative Declaration under SEQRA, determining that the proposed adoption of the Zoning Code and Zoning Map will not have a significant adverse impact on the environment and that a Draft Environmental Impact Statement will not be prepared; and

BE IT FURTHER RESOLVED, that the Town Board hereby adopts Local Law No. 3 of the year 2025, entitled "*A Local Law Adopting the Zoning Code of the Town of Niagara and Zoning Map*," replacing in its entirety the prior zoning provisions (Chapter 245 of the Town Code); and

BE IT FURTHER RESOLVED, that all required notices of public hearing and other procedural steps required by law have been duly met; that the Town Board has reviewed and determined that the revisions made to the proposed Zoning Code following public comment are not substantial; that the final Zoning Code has remained on the desks of the members of the Town Board for at least seven calendar days, exclusive of Sunday, prior to final passage; and that to the extent the Zoning Code differs from the recommendation of the Niagara County Planning Board, a majority vote plus one will be required in order to approve its adoption; and

BE IT FURTHER RESOLVED, that the Town Clerk is hereby directed to ensure that the Zoning Code and Zoning Map are filed with the Secretary of State, that a certified copy of the adopted Zoning Code is entered into the official minutes of the Town, and that the Zoning Code shall take effect on the twentieth (20th) day after its adoption, or on such later date as may be prescribed in the local law, provided that at least ten (10) days have elapsed since publication and the filing with the Secretary of State has occurred; and

BE IT FURTHER RESOLVED, that the SEQRA Negative Declaration and this resolution shall be circulated and filed in accordance with applicable law.

Copy

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**Municipal  
Solutions, Inc.**  
Municipal Financial Advisors

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July 28, 2025

Sylvia Virtuoso, Supervisor  
Town of Niagara  
7105 Lockport Road  
Niagara Falls, New York 14305

Dear Supervisor Virtuoso:

Municipal Solutions, Inc. is submitting this proposal in connection with the Town of Niagara's proposed Sewer Consolidation Study for your consideration and approval.

Per the Municipal Securities Rulemaking Board's (MSRB) Rule G-42, we must have a current contract in place prior to work commencing. This contract must state fair market value rates and fees and be accepted by both the municipality and Municipal Solutions, Inc. We must, under rule G-42, show that we've acted in good faith with the issuer and to ensure the accuracy of representation in our contracts regarding the agreed upon scope and fees, whether the contract be a Preliminary Authorization to Proceed or a Full Contract.

The Securities and Exchange Commission (SEC) enforces the rules and regulations set by the MSRB. Municipal Solutions, Inc. is registered as a recognized municipal advisor with the SEC (MS ID #867-00383) and the MSRB (MS ID #K0173) as mandated by the Dodd-Frank Wall Street Reform and Consumer Protection Act (the Dodd-Frank Act).

This proposal is divided into the following parts:

- I. Fiscal Services
- II. Conflicts of Interest and Other Required Disclosures
- III. Miscellaneous

**I. Fiscal Services**

The following items will be completed under this portion of the contract, if appropriate and as requested:

- 1) Assist in the preparation of information, development of an operating budget and cash flow that may be used for public or internal discussions in connection with the project.
- 2) Attend meetings, as required.
- 3) Prepare various maturity schedules for Town officials to determine repayment of anticipated borrowed funds for planning purposes.

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*Municipal Solutions, Inc. is a Member of the National Association of Municipal Advisors*

62 Main Street, LeRoy, NY 14482 Phone: 585-768-2136 Fax: 585-394-4092  
2528 State Route 21, Canandaigua, NY 14424 Phone: 585-394-4090 Fax: 585-394-4092  
[www.municipalsolution.com](http://www.municipalsolution.com)



- 4) Coordinate board adoption of the bond resolution and other legal documents that may be required.
- 5) Compliance with IRS, MSRB and SEC regulations, reviews and updates.
- 6) Convert financial documents into useable formats for processing, if necessary.
- 7) Advise Town of additional funding opportunities that may arise for project. A separate contract will be submitted for the preparation of any funding applications not included in this contract.
- 8) Provide other financial consulting services as may be requested by the Town.

Fiscal Services will be billed at the current hourly rate of \$168 plus reimbursable expenses.

The total fee for this contract based on the current project scope is estimated to be \$5,000 over a 12-month period. This includes prior work for the development of the project. If this timeframe is exceeded, or the estimated total fee is exhausted due to unanticipated changes in project plans, scope, or timeline, we reserve the right to amend this agreement through project completion.

If there are services required outside of the scope of this contract, an invoice for any work completed will be billed as general financial services at the current hourly rate plus expenses.

The fees may be adjusted annually based on the U.S. Bureau of Labor and Statistics Consumer Price Index – All Urban Consumers.

Invoices will be submitted periodically. Payment is due within 45 days of the invoice date.

## **II. Conflicts of Interest and Other Required Disclosures**

Rule G-42 of the Municipal Securities Rulemaking Board requires us to provide you with certain disclosures regarding conflicts of interest and other required disclosures (the "Disclosures"). Those Disclosures are attached hereto in Appendix A. We further covenant and agree to provide to the Town updated Disclosures as required by Municipal Securities Rulemaking Board Rule G-42 to the extent any arise after the date of this letter. The Disclosures, and each delivery thereof, as provided from time to time, shall be incorporated by reference as of the date thereof into this letter to the same extent as if set forth herein.

We at Municipal Solutions, Inc. operate with a core value of honesty and integrity in all aspects of our business. We pride ourselves on our competent and friendly staff and our services go above and beyond what our contracts call for. We do our very best to keep costs down and pass any savings back to our clients. If you have any concerns that are not addressed in this contract, we would be happy to discuss them with you at your convenience.

## **III. Miscellaneous**

Municipal Solutions, Inc. agrees to comply with the funding agency requirements of the New York State Environmental Facilities Corporation related to MWBE participation.

Upon acceptance of this proposal, please execute and return one copy to our LeRoy office located at 62 Main Street, LeRoy, New York 14482 following the next Board meeting. The terms set forth above are

July 28, 2025

subject to change if we do not receive a signed contract within 30 days. This contract will remain in effect until terminated by either party. You have the right to terminate this contract for any reason at any time.

We agree to promptly amend or supplement this letter to reflect any material changes or additions to the agreement evidenced by this letter.

If you have any questions concerning this proposal, please do not hesitate to contact me. We look forward to our continued working relationship with the Town.

Sincerely,



Theresa K. Smith, CEO

TKS/slw

---

**Town of Niagara, New York  
Contract Dated July 28, 2025  
Sewer Consolidation  
Accepted by:**

Signature: \_\_\_\_\_

Name/Title: \_\_\_\_\_

Date: \_\_\_\_\_

## **APPENDIX A**

### **TOWN OF NIAGARA, NEW YORK Contract Dated July 28, 2025 Sewer Consolidation Study**

---

#### **DISCLOSURE OF CONFLICTS OF INTEREST**

Municipal Securities Rulemaking Board Rule G-42 requires us, as your municipal advisor, to provide written disclosure to you about material conflicts of interest.

We have determined, after exercising reasonable diligence, that we have no known material conflicts of interest that would impair our ability to provide advice to the [Muni] in accordance with our fiduciary duty to municipal entity clients. The attached paragraphs outline areas of potential conflicts of interest we have reviewed to make this no material conflict of interest determination.

Our proposal includes compensation for municipal advisory activities to be performed that is contingent on the size or closing of any transaction as to which Municipal Solutions, Inc. is providing advice, the potential conflicts that could occur as a result of this pricing compensation are outlined below.

#### **FORMS OF COMPENSATION AS POTENTIAL CONFLICTS**

The forms of compensation for municipal advisors vary according to the nature of the engagement and requirements of the client, among other factors. Various forms of compensation present actual or potential conflicts of interest because they may create an incentive for an advisor to recommend one course of action over another if it is more beneficial to the advisor to do so. This document discusses various forms of compensation and the timing of payments to the advisor.

**Fixed fee** - Under a fixed fee form of compensation, the municipal advisor is paid a fixed amount established at the outset of the transaction. The amount is usually based upon an analysis by the client and the advisor of, among other things, the expected duration and complexity of the transaction and the agreed-upon scope of work that the advisor will perform. This form of compensation presents a potential conflict of interest because, if the transaction requires more work than originally contemplated, the advisor may suffer a loss. Thus, the advisor may recommend less time-consuming alternatives, or fail to do a thorough analysis of alternatives. There may be additional conflicts of interest if the municipal advisor's fee is contingent upon the successful completion of a financing, as described below.

**Hourly fee** - Under an hourly fee form of compensation, the municipal advisor is paid an amount equal to the number of hours worked by the advisor times an agreed-upon hourly billing rate. This form of compensation presents a potential conflict of interest if the client and the advisor do not agree on a reasonable maximum amount at the outset of the engagement, because the advisor does not have a financial incentive to recommend alternatives that would result in fewer hours worked.



In some cases, an hourly fee may be applied against a retainer (*e.g.*, a retainer payable monthly), in which case it is payable whether or not a financing closes. Alternatively, it may be contingent upon the successful completion of a financing, in which case there may be additional conflicts of interest, as described below.

**Fee contingent upon the completion of a financing or other transaction** - Under a contingent fee form of compensation, payment of an advisor's fee is dependent upon the successful completion of a financing or other transaction. Although this form of compensation may be customary for the client, it presents a conflict because the advisor may have an incentive to recommend unnecessary financings or financings that are disadvantageous to the client. For example, when facts or circumstances arise that could cause the financing or other transaction to be delayed or fail to close, an advisor may have an incentive to discourage a full consideration of such facts and circumstances, or to discourage consideration of alternatives that may result in the cancellation of the financing or other transaction.

**Fee paid under a retainer agreement** - Under a retainer agreement, fees are paid to a municipal advisor periodically (*e.g.*, monthly) and are not contingent upon the completion of a financing or other transaction. Fees paid under a retainer agreement may be calculated on a fixed fee basis (*e.g.*, a fixed fee per month regardless of the number of hours worked) or an hourly basis (*e.g.*, a minimum monthly payment, with additional amounts payable if a certain number of hours worked is exceeded). A retainer agreement does not present the conflicts associated with a contingent fee arrangement (described above).

**Fee based upon principal** - Under this form of compensation, the municipal advisor's fee is based upon a percentage of the principal amount of an issue of securities (*e.g.*, bonds). This form of compensation presents a conflict of interest because the advisor may have an incentive to advise the client to increase the size of the securities issue for the purpose of increasing the advisor's compensation.

From time to time, Municipal Solutions, Inc. does provide municipal advisory assistance to surrounding municipalities including, but not limited to, the Town of Wheatfield, Town of Lewiston, the Village of Lewiston, the Lewiston-Porter Central School District, and the Town of Porter. Municipal Solutions, Inc. is not aware of any material conflicts of interest that this relationship would bring to our fiduciary responsibility to the Town of Niagara as of the date of this Agreement. If Municipal Solutions, Inc. becomes aware of any conflict of interest that could interfere with our fiduciary obligations to the Town, Municipal Solutions, Inc will notify the Town that a conflict has been identified and we will meet with the Town to discuss the impacts of the conflict and possible methods to resolve the identified conflict areas.

## RELIANCE ON OUTSIDE INFORMATION

In formulating our recommendations as it comes to the issuance of municipal securities, we often have to rely on information provided by outside sources such as engineering firms, architectural firms, CPAs, attorneys, and other professional entities, as well as the municipality itself. We must rely on the expertise and professional knowledge of these entities in that the information they are providing is reasonable and correct. As part of our fiduciary duty to our clients, we will do our best to make sure this is the case. If we feel that the information provided to us is inaccurate, inconsistent, or incomplete, we will ensure to tell you before providing any recommendations based on the material.

### LEGAL OR DISCIPLINARY EVENTS

Municipal Solutions, Inc. is registered as a “municipal advisor” pursuant to Section 15B of the Securities Exchange Act and rules and regulations adopted by the United States Securities and Exchange Commission (“SEC”) and the Municipal Securities Rulemaking Board (“MSRB”). As part of this registration, we are required to disclose to the SEC information regarding criminal actions, regulatory actions, investigations, terminations, judgments, liens, civil judicial actions, customer complaints, arbitrations and civil litigation involving Municipal Solutions, Inc. Pursuant to MSRB Rule G-42, Municipal Solutions, Inc. is required to disclose any legal or disciplinary event that is material to the Town’s evaluation of Municipal Solutions, Inc. or the integrity of its management or advisory personnel.

We have determined that no such event exists.

Copies of Municipal Solutions, Inc. filings with the United States Securities and Exchange Commission can currently be found by accessing the SEC’s EDGAR Company Search Page which is currently available at <https://www.sec.gov/edgar/searchedgar/companysearch.html> and searching for either Municipal Solutions, Inc. or for our CIK number which is 0001612999.

The MSRB has made available on its website ([www.msrb.org](http://www.msrb.org)) a municipal advisory client brochure that describes the protections that may be provided by MSRB rules and how to file a complaint with the appropriate regulatory authority.

## AGREEMENT

This Agreement entered into between the Town of Niagara ("Town") a municipal corporation having its principal place of business at 7105 Lockport Road, Niagara Falls, New York 14305 and Hodgson Russ, LLP, having its principal place of business at 140 Pearl Street, Buffalo, New York 14202, on September \_\_\_\_, 2025.

WHEREAS, the Town has applied for a New York State grant to fund a Sewer Consolidation Study, and

WHEREAS, the Town will need legal services to assist the Town in performing the study, and

WHEREAS, Hodgson Russ, LLP has the expertise and staff to provide such legal services, and

WHEREAS the Town wishes to utilize the services of Hodgson Russ, LLP to provide legal advice and assistance for the study, it is hereby agreed as follows:

1. The term of this contract will be September 1, 2025, until the completion of the study.
2. Hodgson Russ, LLP will provide legal services as requested and needed by the Town including, but not limited to, the following tasks:
  - 1) Legal research regarding procedure for dissolving existing sewer disposal districts, consolidating districts, and creation of a new town-wide sewer district under New York State Town Law and General Municipal Law
  - 2) Analyze Town of Niagara historical documents regarding the establishment of sewer districts in the Town.

- 3) Prepare grant application agenda items for Town of Niagara Town Board and attend Town Board meetings.
- 4) Legal research of requirements for map, plan, and report to be prepared by Town Engineer.
- 5) Research similar maps, plans, and reports prepared by other New York municipalities.
- 6) Assist Town Engineer with preparation of map, plan, and report including, but not limited to, district boundaries, property benefit analysis, financing options, and sewer rate formula.
- 7) Prepare Town Board resolution regarding public hearing on consolidation and creation of new town-wide sewer district.
- 8) Attend Town Board public hearing on creation of new sewer district.
- 9) Legal research on NYS Comptroller procedures for creating new sewer district.
- 10) Draft changes to Town of Niagara Town Code regarding newly created sewer district and new sewer rate charges.
- 11) Draft permissive referendum documents reflecting posting of notice, advertisement, and Town Clerk certification.
- 12) Draft agreement with Niagara County Sewer District No. 1 regarding acceptance of town flow.
- 13) Any additional legal issues that arise during the study.

3. Hodgson Russ, LLP will bill the Town for its legal services on an hourly basis at standard reduced municipal rates normally billed the Town for other municipal legal services.

4. The estimated cost of the legal services herein is \$21,000.

5. This contract shall be governed by the laws of New York State.

6. This contract may be terminated by either party at any time on thirty (30) days written notice to the other party.

Town of Niagara

Hodgson Russ, LLP

By: \_\_\_\_\_  
Sylvia Virtuoso  
Town Supervisor

By: \_\_\_\_\_  
Michael B. Risman  
Partner

Dated: \_\_\_\_\_

Dated: \_\_\_\_\_