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

MINUTES
Tuesday, September 15th, 2026
6:30 PM

PUBLIC HEARING

1. To consider Local Law #2026-2 repealing the current Town unreasonable noise law and adopting new sections 179-1 through 179-7 of the Town Code, governing unreasonable noise in the Town of Niagara. (Risman)

Closed @ 6:30pm Closed @ 6:31pm

2. To consider the Minor combination of lots request of Ronald and Raquel Kuntz. Tax Map #145.08-2-25 and 7800 Packard Road, Tax Map #145.08-2-24.

Open @ 6:31pm Tabled @ 6:31pm Continuance

3. To consider the major re-subdivision request of Thomas Reynolds PE. of Nussbaumer & Clarke on behalf of Mr. Frishman, Kay Ellen Drive. Tax Map #131.11-1-46.

Open @ 6:31pm Tabled @ 6:32pm Continuance

4. To consider the Special-Use Permit/Home Occupation request of Jack Horning to conduct a construction business office from his residence. 4620 Theresa Lane, Tax Map #131.11-1-78.

Open @ 6:32pm Closed @ 6:33pm

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 Bob Herman, Councilman Johnny Parks, and Councilman Mike Lee
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)
Opened @ 6:34pm - Closed @ 6:38pm

Pam Scott of 4905 Isherwood Drive wanted to say thank you for the Town for clearing out the drains. Also, mentioned that she has reached out to see if the fields in the back of the property can get cleaned out, and trim back the jungle that is moving up into their back yards and possibly have the ditches back there cleaned out as well to help with the flooding.

APPROVAL OF MINUTES

1. Town Board Meeting of August 18th, 2026

Motion to approve by Councilman Carpenter, second by Councilman Herman

Ayes –Virtuoso, Carpenter, Herman, Parks, Lee
Noes – none
Abstain-none

Motion carried.

PAYMENT OF THE BILLS

General Fund Pre-Pay vouchers [A] $98,981.23
General Fund vouchers [A] $73,736.92
Sewer Fund Pre-Pay vouchers [G] $12,201.73
Sewer Fund vouchers [G] $1,956.35
Water Fund Pre-Pay vouchers [F] $6,083.57
Water Fund vouchers [F] $6,148.93
Highway Fund Pre-Pay vouchers [DA] $47,517.87
Highway Fund vouchers [DA] $24,260.06
Fire Protection Pre-Pay vouchers [SF] $0.00
Fire Protection vouchers [SF] $116.04
Street Lighting Pre-Pay vouchers [SL] $14,059.39
Street Lighting vouchers [SL] $0.00
Trust & Agency Pre-Pay vouchers [TA] $0.00
Trust & Agency vouchers [TA] $1,453.75
Capital Projects Pre-Pay [H] $101.60
Capital Projects vouchers [H] $688,331.87

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

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

Motion carried.

AGENDA

1. Resolution to approve Local Law 2026-2 repealing the current Town unreasonable noise law and adopting new section 179-1 through 179-7 of the Town Code, governing unreasonable noise in the Town of Niagara. (Risman)

Motion to approve by Councilman Carpenter second by Councilman Herman.
Ayes –Virtuoso, Carpenter, Herman, Parks, Lee
Noes – none
Abstain – none

Motion carried.

2. Resolution to declare a negative declaration on the associated SEQR for the Special-Use Permit/Home occupation request of Jack Hornung to conduct business from his residence at 4620 Theresa Lane, Tax Map # 131.11-1-78. (Haseley)

Motion to approve by Councilman Parks second by Councilman Lee.
Ayes –Virtuoso, Carpenter, Herman, Parks, Lee
Noes – none
Abstain – none

Motion carried.

3. Resolution to approve the Special-Use Permit/Home occupation request of Jack Hornung to conduct business from his residence which consists of an office for his handy man business. No outside equipment storage for the business. 4620 Theresa Lane, Tax Map #131.11-1-78. Permit shall expire one year from approval date and is renewable annually upon written request received prior to expiration and subsequent Town Board Approvals. (Haseley)

Motion to approve by Councilman Lee second by Councilman Parks
Ayes –Virtuoso, Carpenter, Herman, Parks, Lee
Noes – none
Abstain – none

Motion carried.

4. Resolution to make the following budget amendments to balance the 2026 budget: (Siegmann)

From	A1990.4	Contingent	$3,398.00
To:	A6410.4	Advertising Contractual	$2,000.00
	A8020.4	Planning Contractual	$308.00
	A8030.4	Research Contractual	$1,090.00

From:	DA5112.4	Permanent Improvement	$20,000.00
To:	DA5130.4	Machinery Contractual	$20,000.00
From:	F8320.4	Source of Supply	$3,500.00
To:	F8340.4	T&D Contractual	$3,500.00

Motion to approve by Councilman Carpenter second by Councilman Lee
Ayes –Virtuoso, Carpenter, Herman, Parks, Lee
Noes – none
Abstain – none

Motion carried.

5. Resolution to approve the application for the JCAP grant on behalf of the Town Courts. (Gatto & Brevetti-Runkle)

Motion to approve by Councilman Parks second by Councilman Herman.
Ayes –Virtuoso, Carpenter, Herman, Parks, Lee
Noes – none
Abstain – none

Motion carried.

6. Resolution to approve the bid from Black Gold Sealer for seal coating parking lots and parks including striping parking lots following all bid specifications in the amount total of $22,586.00. (Sirianni)

Motion to approve by Councilman Carpenter second by Councilman Herman.
Ayes –Virtuoso, Carpenter, Herman, Parks, Lee
Noes – none
Abstain – none

Motion carried.

7. Resolution to declare a negative declaration on the associated SEQR for the Special-Use Permit request of Jared Lusk agent for Verizon for the installation of communication system on a new utility pole (tower). Located in Third Avenue Street right of way / Tax Map #146.17-5-23. (Haseley)

Motion to approve by Councilman Lee second by Councilman Parks.
Ayes –Virtuoso, Carpenter, Herman, Parks, Lee
Noes – none
Abstain – none

Motion carried.

8. Resolution to approve the Special-Use Permit request of Jared Lusk agent for Verizon to erect a new utility pole (tower) and install a communication system (micro cell) thereon. Located on Third Avenue right of way / Tax Map #146.17-5-23 No associated Town building permits may be released until the existing established fees have been paid.

-New support pole/tower $1000.00
-Right of way access fee $270.00 per facility, renewable annually. (Haseley)

Motion to approve by Councilman Carpenter second by Councilman Herman.

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

Motion carried.

9. Resolution to approve the annual Special-Use Permit renewal requests of: (Haseley)

• LJ Hair Design	8310 Lockport Road	132.17-1-9	In Home Occupation
• 2025 The Hertz Corp	2200 Military Road	145.20-1-5	Rental and Sales
• 2026 The Hertz Corp	2200 Military Road	145.20-1-5	Rental and Sales

Motion to approve by Councilman Lee second by Councilman Parks.

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

Motion carried.

TABLED

1. Resolution to declare a negative declaration on the associated SEQR for the Minor re-subdivision / the combination of (2) lots request of Ronald and Raquel Kuntz.7800 Packard Road, Tax Map #145.08-2-24 and Tax Map #145.08-2-25. (Haseley)

2. Resolution to approve the Minor re-subdivision/ the combination of (2) lots request of Ronald and Raquel Kuntz. 7800 Packard Road Tax Map # 145.08-2-24 and Tax Map #145.08-2-25. (Haseley)

3. Resolution to declare a negative declaration on the associated EAF for the Major re-subdivision request of Thomas Reynolds, PE of Nussbaumer & Clarke, Inc. on behalf of Mr. Frishman, Tax Map # 131.11-1-46. (Haseley)

4. Resolution to approve the Major re-subdivision request of Thomas Reynolds, PE of Nussbaumer & Clarke, Inc. Tax map #131.11-1-46. (Haseley)

5. Resolution to declare a negative declaration on the associated SEQR for the final site plan request of Edward Webster. 2541 Military Road, Tax Map #145.12-3-21. (Haseley)

6. Resolution to approve the final site plan request of Edward Webster. 2541 Military Road, Tax Map #145.12-3-21. (Haseley).

COMMENTS

There were no comments tonight from the council members. Supervisor Virtuoso sent her condolences to the families of Bill Ross and long-time court clerk Bertha Campbell. She spoke about the 5 houses that were demolished and how the neighbors reached out and said how happy they are that this has finally been taken care of and that they are very grateful. She thanked the Niagara Gazette for the article they ran on the demolitions, and that it shows that the Town is serious about keeping on top of cleaning up the neighborhoods.

ADJOURNMENT

Motion to adjourn by Councilman Carpenter, second by Councilman Herman. All in favor. Meeting adjourned at.6:46pm

Respectfully Submitted,

Melissa Cerrillo

Town Clerk

THE MONTHLY AGENDA IS ON THE TOWN WEBSITE

www.townofniagara.com

In Memoriam

Brent H. Luh

Terry Booze

Charles Alexander Jr.