

**NIAGARA POWER COALITION  
MEETING MINUTES**

**Wednesday, October 27, 2010 – 12:00 p.m.**

Niagara County Department of Economic Development  
6311 Inducon Corporate Drive, Suite One  
Sanborn, New York 14132

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**1.0 Call to Order**

Chairman Ross called the meeting to order at 12:13 p.m.

**2.0 Roll Call**

Ms. Melloni performed roll call:

**Representatives Present:**

William L. Ross, Chairman, NPC	Niagara County
Don Rappold, Asst. Superintendent	Lewiston-Porter School District
Cynthia Bianco, Superintendent	Niagara Falls City School District
Tom O'Donnell, Esq.	City of Niagara Falls
Scott Hapeman, Esq., Counsel	Niagara Wheatfield School District
Jackie Seigmann	Town of Niagara
Steve Reiter, Supervisor	Town of Lewiston

**Guests:**

Tom Burgasser, Esq.	Niagara County
Mike Johnson	Town of Lewiston
Chris Roser, Superintendent	Lewiston Porter School District
Angelo Massaro, Esq.	Niagara Falls City School District

**Staff Present:**

John Baird, Treasurer, NPC  
Mary Melloni, Secretary  
Stan Widger, Esq., NPC Counsel, Nixon Peabody (via Teleconference)  
Samuel M. Ferraro, Executive Director/Commissioner - Niagara County Center for  
Economic Development

**3.0 Approval of NPC Meeting Minutes**

**3.1 Regular Meeting of June 18, 2010**

Mr. Rappold indicated that his title is wrong on the minutes; it needs to be changed to Assistant Superintendent.

*Mr. O'Donnell made a motion, seconded by Mr. Hapeman, to approve the minutes of the June 18, 2010 Meeting with the recommended revision. Motion passed.*

#### 4.0 Financial Report

##### 4.1 June – September 2010

Mr. Baird reviewed the financial report for the period of June through September 2010. *[A copy of which will be attached hereto and made a part hereof these minutes.]*

*Mr. O'Donnell made a motion, seconded by Mr. Rappold, to approve the Financial Report for June through September 2010, as presented. Motion passed.*

##### 4.2 DRAFT 2011 NPC Budget

Mr. Hapeman indicated that overall the proposed budget payment for 2011 will be \$2,459.00 per entity. Last year the payments were twice that amount at \$5,144.00. The significant decrease is due to the scaling back of NPC activities and a significant variance in the 2010 budget that will carry over to 2011. Mr. Hapeman stated that when they examined what was actually spent in 2010 without regard to carryover from previous years, the NPC is operating at approximately \$7,000 per year per entity.

Mr. Hapeman stated that over the past few years the budget has included an \$11,500 amount for Nixon Peabody in anticipation of pursuing an IRS tax opinion letter. The NPC informally decided not to do that and therefore that \$11,500 has been removed from the budget. This amount can be put back into the budget if a decision is made to pursue the tax letter at a later date.

Nixon Peabody's estimate for 2011 was \$49,000 and that is anticipation of anything that may come up in 2011.

Mr. Hapeman stated that the Administrative Support line is at \$4,772, which includes a projected 3% raise for Mary Melloni that has not been voted on by this body; it also includes a 3% raise for the previous year which also has not been voted on by this body. The Budget committee has included it as Mary has received 3% raises both last year and in 2011 from her employers at the NCIDA and it has been suggested that we may want to match their raise for her services to us.

In the proposed budget is also included an estimate of \$6,000 of payments to Nixon Peabody for services from September to the end of the year. Mr. Widger agreed with that estimate.

**4.0 Financial Report**

**4.2 DRAFT 2011 NPC Budget (Continued...)**

*Ms. Bianco made a motion, seconded by Mr. Rappold, to approve the increase in the Administrative support amount to \$4,772. Motion passed.*

*Ms. Bianco made a motion, seconded by Mr. Rappold, to approve the 2011 NPC Budget as presented. Motion passed.*

**5.0 Correspondence – None.**

**6.0 Unfinished Business – None.**

**7.0 New Business – None.**

**8.0 Legal Counsel**

**8.1 NPC Mission Statement**

Mr. Widger explained that under the PARA 2009, local authorities are required to have Mission Statements in place by the end of March 2011. Materials have been distributed explaining the requirements for the Mission Statement from the Authorities Budget Office. The ABO has been very active in reviewing Mission Statements and has been very detailed on what the authorities are required to do. He stated that they also expect a measurement of performance against the Mission Statement. The Governance Committee will be working on this in the near future.

**8.2 New PAAA Requirements**

Mr. Widger explained that another requirement of PARA 2009 is an Evaluation of the Board's Performance. Information has been provided to members. This includes a questionnaire that the Board members are required to complete regarding the board's performance. The Governance Committee will collate the responses and evaluate them. The Performance Evaluation is entitled to confidential treatment.

Both of these issues need to be completed before March 31<sup>st</sup>, therefore it is recommended that the Governance Committee meet as soon as possible so that the Board as a whole can review the proposed Mission Statement and if necessary changes can be made prior to the deadline.

## 8.0 Legal Counsel

### 8.2 New PAAA Requirements (continued...)

Mr. Widger stated that the Authorities Budget Office, with regard to PAAA and PARA 2009, has the authority to waive certain requirements that the Director of an authority deems either unnecessary or burdensome. A few months ago the ABO had not yet issued the criteria for obtaining waivers. Mr. Widger will contact them to see if any progress has been made in this direction. For now, the requirements will have to be complied with.

Mr. Ross reminded the Governance Committee (Ms. Bianco, himself and Mr. Richards) that they will have to meet mid-December. This will allow enough time to return to the Board with a Draft Mission Statement for comments.

Mr. Rappold asked if everyone has had their PAAA training at this point and it came to our attention that Ms. Bianco, Mr. Reiter and Mayor Dyster are not in compliance as of yet. Ms. Melloni will continue to look for training opportunities for them and forward them on.

## 9.0 Any Other Matters

## 10.0 Next NPC Meeting: To be Determined

## 11.0 Adjournment

*Mr. Risman made a motion to adjourn, seconded by Mr. Rappold. Motion passed. Meeting adjourned at 12:45 p.m.*

Respectfully submitted,

Mary P. Melloni  
Secretary