

HOST COMMUNITIES STANDING COMMITTEE MEETING MINUTES

Tuesday, May 22, 2012 – 12:00 p.m.

Niagara County Department of Economic Development

6311 Inducon Corporate Drive

Sanborn, New York 14132

Representatives Present:

Don Rappold, Asst. Superintendent – Chairman, HCSC

Angelo Massaro, Esq.

Tom O’Donnell, Esq.

Rob Daly, Special Advisor, Relicensing

William L. Ross, Chairman, NC Legislature

Kerin Dumphrey, Acting Supt.

Jackie Siegmann

Mike Johnson

Lewiston-Porter School District

Niagara Falls City School District

City of Niagara Falls

New York Power Authority

Niagara County

Niagara Wheatfield School District

Town of Niagara

Town of Lewiston

Guests:

Chris Roser, Superintendent

Thomas Burgasser, Esq.

Bernie Rotella

Nathan Taylor

Scott Hapeman, Esq.

Mike Hartman, Assessor

Ross Annable, Supervisor

Thomas DeSantis

Sherri Shepherd-Corulli

Anne McCaffrey, Board Member

Lewiston-Porter School District

Niagara County

Town of Lewiston

Town of Lewiston

Niagara Wheatfield School District

Town of Hartland

Town of Hartland

City of Niagara Falls

City of Niagara Falls

Palace Theater

Staff Present:

Mary Melloni, Recording Secretary

John M. Baird, Treasurer, NPC

Stan Widger, Esq., NPC Counsel, Nixon Peabody (via teleconference)

Samuel M. Ferraro, Executive Director/Commissioner - Niagara County Center for Economic Development

1.0 Call to Order

Chairman Rappold called the Host Communities Standing Committee meeting to order at 12:00 p.m.

2.0 Roll Call

Ms. Melloni called the roll; a quorum was established.

3.0 Pledge of Allegiance

Chairman Rappold led the Pledge of Allegiance.

4.0 HCSC Meeting Minutes of March 27, 2012

Chairman Rappold indicated that the minutes are unavailable at this time.

5.0 Project Presentations

5.1 Niagara County

5.1.1 **“Historic Palace Theatre – Exterior Renovation Project” (\$151,697 - Approved by Niagara County Legislature 4/17/12; Determined Not Consistent by NRCG 3/20/12) – Anne McCaffrey, Board Member**

Ms. McCaffrey gave a brief overview of the history of the theater, being built in 1925 on East Avenue in downtown Lockport at a cost of \$300,000 and taking four years to build. Ms. McCaffrey reviewed some of the historic acts that performed at the theater. She explained that in 1999 the theater was taken over by a non for profit group of local community individuals who are interested in preserving the theater and maintaining it as a place for live performances, movies, musicals and for community participation. Over the past ten years the non-profit has had numerous successes and undertaken many capital improvement projects to maintain the structure, the viability of the theater. Some capital projects have already been funded including heating and air conditioning, new restrooms, new roof, new front doors, carpeting, electrical upgrades, etc. The theater sits on East Avenue in Lockport and about 100 yards across the street from the Erie Canal. The theater works closely with the Erie Canal Discovery Center as the Step-Back-in-Time Historical Players do impersonations of canal time residents of Lockport and there is a strong history with the Canal and historical society to insure that all the history and heritage with the canal is preserved in Lockport.

The project before the group today is to do an exterior renovation – mainly repointing of the entire building. It is a brick building and after 100 years of winter the brick is falling apart and mortar is coming out. When that is completed they will work on the interior walls that have been damaged from water seeping into the building. They will also be refurbishing their marquee. They would also like to put in new windows, add awnings on the front and side of the building.

Ms. McCaffrey outlined how they feel they fit into some of the Greenway goals. She indicated that they did go before the Niagara County Legislature and were approved on April 17, 2012. The total amount of the project is \$200,000+, and they are requesting \$151,697 in Greenway funds.

5.0 Project Presentations

5.1 Niagara County

5.1.1 “Historic Palace Theatre – Exterior Renovation Project” (Continued...)

Mr. Burgasser stated that Niagara County is a sponsor of this project and the project went before the Niagara River Greenway Commission. The only comment made by the NRGC was that the project was too far away from the Niagara River. He explained that Lockport is where two of the big trails that are part of the Greenway come together – the wine trail and the canal trail. Mr. Burgasser pointed out that the NRGC also approved other projects in Lockport. The City also agreed that they will help the theater with Greenway signage.

A discussion was held regarding whether the project is located within the scope of the Greenway and it was determined that it is in the middle of the trails and therefore within the designated Greenway boundaries.

Mr. Massaro asked if this renovation included maintenance. After discussion it was determined that this project does not fall into the category of maintenance.

Mr. Widger asked if comments by the NRGC were addressed; Mr. Burgasser indicated he did address their comment earlier in the meeting regarding the distance of the project from the Niagara River. Mr. Widger stated that the procedural criterion has been met for this project.

Mr. Ross made a motion, seconded by Mr. Massaro, to approve funding in the amount of \$151,697.00 for the Historic Palace Theatre Exterior Renovation Project.

“WHEREAS, the **County of Niagara**, on behalf of the **Historic Palace Theatre**, has applied to the Host Communities Standing Committee to approve funding in the amount of **\$151,697.00** for the **Historic Palace Theatre Exterior Renovation Project**; and WHEREAS, this project was submitted to the Niagara River Greenway Commission for consultation. WHEREAS, the Host Communities Standing Committee finds the project to be consistent with the Greenway Plan. NOW THEREFORE BE IT RESOLVED, by the Host Communities Standing Committee that the amount of **\$151,697.00** for the **Historic Palace Theatre Exterior Renovation Project** is approved; and BE IT FURTHER RESOLVED, that a certified copy of this resolution is to be forwarded to First Niagara Bank.”

A roll call vote was taken.

Town of Lewiston	<u>Yes</u>
Town of Niagara	<u>Yes</u>
Lewiston Porter	<u>Yes</u>
City of Niagara Falls	<u>Yes</u>
Niagara-Wheatfield	<u>Yes</u>
Niagara County	<u>Yes</u>
New York Power Authority	<u>Yes</u>
Niagara Falls Schools	<u>Yes</u>

The resolution was thereupon duly adopted.

5.0 Project Presentations

5.1 Niagara County

5.1.2 **“Town of Hartland Town Park Initiative”** **(\$244,000 - Approved by Niagara County Legislature 4/17/12;** **Determined Not Consistent by NRCG 3/20/12) – Supervisor William Annable**

Mr. Rotella provided a slide presentation that depicted where the park was located in the Town of Hartland. They are applying for phase I of a community – wide approach to the development and improvement of their parks. He indicated that the Town has never received any funding or grants toward the development of the park. After meeting with the ad hoc committee they were asked to break down the budget into smaller phases and that was provided in a handout (that will be attached hereto and made a part hereof these minutes). Mr. Rotella stated that in March the NRCG also voted their project inconsistent due to their location. Those concerns were answered.

Mr. Rotella went on to state that the park is directly on Route 104, one of the three main wine corridors going East to West. It is also the main trail for cyclists and tourism and leads directly to the Niagara River trailheads in Lewiston as well as Lockport. The project will promote the Niagara Greenway by a means of a new kiosk that will be installed at the park location. Signage is being reviewed by a committee and the NRCG and Wendell Engineering to develop a standardized sign. This phase of the project will encompass ball field lighting, including materials and installation; project signage; informational kiosk.

Mr. Burgasser stated that the only comment in the minutes from the consultation of this project with the NRCG was again that it was too far away from the river. He explained that it is not much further than the Krull Park project that was approved through the County and the Commission; but in addition it is part of the wine trail and Mr. Burgasser pointed out the NRCG’s statement on page 8 of the Host Community Relicensing Settlement Agreement. He also stated that signage is also important (i.e. the kiosk at the park).

Mr. Ross made a motion, seconded by Mr. Massaro, to approve funding in the amount of \$244,000.00 for the Town of Hartland Town Park Initiative Project.

“WHEREAS, the **Town of Hartland**, has applied to the Host Communities Standing Committee to approve funding in the amount of **\$244,000.00** for the **Town of Hartland Town Park Initiative Project**; and WHEREAS, this project was submitted to the Niagara River Greenway Commission for consultation. WHEREAS, the Host Communities Standing Committee finds the project to be consistent with the Greenway Plan. NOW THEREFORE BE IT RESOLVED, by the Host Communities Standing Committee that the funding in the amount of **\$244,000.00** for the **Town of Hartland Town Park Initiative Project** is approved; and BE IT FURTHER RESOLVED, that a certified copy of this resolution is forwarded to HSBC Bank.”

5.0 Project Presentations

5.1 Niagara County

5.1.2 **“Town of Hartland Town Park Initiative” (Continued...)** **(\$244,000 - Approved by Niagara County Legislature 4/17/12; Determined Not Consistent by NRC 3/20/12) – Supervisor William Annable**

A roll call vote was taken.

<i>Town of Lewiston</i>	<u><i>Yes</i></u>
<i>Town of Niagara</i>	<u><i>Yes</i></u>
<i>Lewiston Porter</i>	<u><i>Yes</i></u>
<i>City of Niagara Falls</i>	<u><i>Yes</i></u>
<i>Niagara-Wheatfield</i>	<u><i>Yes</i></u>
<i>Niagara County</i>	<u><i>Yes</i></u>
<i>New York Power Authority</i>	<u><i>Yes</i></u>
<i>Niagara Falls Schools</i>	<u><i>Yes</i></u>

The resolution was thereupon duly adopted.

5.1.3 **“LaSalle Waterfront Park”** **(\$365,000 Additional Funding; Project Determined Consistent by NRC on 1/19/10; Approved for \$850,000 by HCSC on 2/18/10) – T. O’Donnell**

Mr. O’Donnell stated that this previously was before the NRC in 2010 and this Committee approved it in February of 2010 in the amount of \$850,000. Due to some site issues and inflation the cost of the project has increased by \$365,000. There are no additional items being added to the project. Ms. Corulli stated that from the time the budget was put together in 2009 for a grant awarded in May of 2010 however the contract was not finalized until the end of 2010. By the time that was received and went to bid the prices on that were considerably higher. Then there were soil issues, fishing dock problems and the combination created the gap.

Mr. Daly asked if the funds have already been spent. Ms. Corulli stated that no, this is the second phase of the project. They just received another EPF grant for \$102,440 and they have a shortage for the first phase that they need to make up and then the remainder of those funds is going to pay for their match for the \$102,440 plus inflated costs. \$102,440 of the 365,000 is the match for the new EPF grant just received. The remainder is cost overruns for Phase I.

Mr. Widger stated that the project has met the criteria to qualify for additional funding.

5.1.3 “LaSalle Waterfront Park”

Mr. O’Donnell made a motion, seconded by Mr. Massaro, to approve the resolution.

“WHEREAS, the City of Niagara Falls has applied to the Host Communities Standing Committee for additional funding in the amount of **\$365,000.00** for **LaSalle Waterfront Park** Project; and WHEREAS, this project was submitted to the Niagara River Greenway Commission for consultation. WHEREAS, on February 9, 2012, the Host Communities Standing Committee finds the project to be consistent with the Greenway Plan. NOW THEREFORE BE IT RESOLVED, by the Host Communities Standing Committee that the funding in the amount of **\$365,000.00** for **LaSalle Waterfront Park** Project is approved; and BE IT FURTHER RESOLVED, that a certified copy of this resolution is forwarded to HSBC Bank.”

A roll call vote was taken.

<i>Town of Lewiston</i>	<u><i>Yes</i></u>
<i>Town of Niagara</i>	<u><i>Yes</i></u>
<i>Lewiston Porter</i>	<u><i>Yes</i></u>
<i>City of Niagara Falls</i>	<u><i>Yes</i></u>
<i>Niagara-Wheatfield</i>	<u><i>Yes</i></u>
<i>Niagara County</i>	<u><i>Yes</i></u>
<i>New York Power Authority</i>	<u><i>Yes</i></u>
<i>Niagara Falls Schools</i>	<u><i>Yes</i></u>

The resolution was thereupon duly adopted.

6.0 HCSC RFP for Audit Update – R. Daly

Chairman Rappold asked for a motion to enter into Executive Session for the purpose of contractual negotiations for proposed Auditor. Mr. Massaro made the motion, seconded by Mr. Johnson. Executive Session began at 12:53 p.m.

Mr. Massaro made a motion, seconded by Mr. Dumphrey, to return to regular session of the meeting. Meeting resumed at 12:59 p.m.

7.0 Niagara River Greenway Commission (Informational Only)

7.1 Minutes of May 15, 2012 Meetings

5.0 Next HCSC Meeting: Tuesday, July 31, 2012 (if needed)

6.0 Adjournment

Mr. Reiter made a motion, seconded by Mr. Daly, to adjourn the meeting. Meeting adjourned at 1:45 p.m.

Respectfully submitted,

Mary P. Melloni
Recording Secretary