

**HOST COMMUNITIES**

**STANDING COMMITTEE MEETING**

**Wednesday, June 25, 2008 – 2:00 p.m.**

**Niagara County Department of Economic Development**

6311 Inducon Corporate Drive

Sanborn, New York 14132

**Representatives Present:**

Carmen Grant, Superintendent	Niagara Falls City School District
Paul A Dyster, Mayor	City of Niagara Falls
Donald Rappold, Interim Superintendent	Lewiston-Porter School Dist
Rob Daly, Special Advisor, Relicensing	New York Power Authority
William L. Ross, Chairman, NC Legislature	Niagara County
Scott Hapeman, Esq., Counsel	Niagara Wheatfield School District
Fred M. Newlin, Supervisor	Town of Lewiston
Michael Risman, Esq.	Town of Niagara

**Guests:**

Jackie Siegmann	Town of Niagara
Thomas O'Donnell	City of Niagara Falls
Sherry Shepherd Carulli	City of Niagara Falls
Marge Partridge, LA	MPLA – Lewiston Porter School Dist
Lee Simonson	Historical Association of Lewiston
Dave Quattrini	Lewiston Porter School District
Robert Laub	Lewiston Porter School District
Warren Kahn, Esq.	Lewiston Porter School District
Tom Burgasser, Esq.	Niagara County
Angelo Massaro, Esq.	Niagara Falls City School District
Jay Ryan, Esq.	NYPA
Rick Chase	NYPA
Robert Fluskey, Esq.	Town of Lewiston
Michael Risman, Esq.	Town of Niagara

**Staff Present:**

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

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**1.0 Call to Order**

Chairman Grant called the Host Communities Standing Committee meeting to order at 2:10 p.m.

**2.0 Roll Call**

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

### **3.0 Pledge of Allegiance**

Chairman Granto led the pledge of Allegiance.

### **4.0 Approval of Meeting Minutes**

#### **4.1 May 28, 2008**

***Mr. Newlin made a motion, seconded by Mr. Rappold to approve the meeting minutes of May 28, 2008. Motion passed.***

### **5.0 Project Presentations**

#### **5.1 Lewiston- Porter School District**

##### **5.1.1 Lewiston-Porter Recreational Complex**

Mr. Rappold indicated that in January 2008 the Lewiston Porter School District presented their Lewiston Porter Recreation Complex project and as a result of that presentation, there were some suggestions from the Committee on how to enhance the project and add some things that were not addressed. That resulted in the generation of a letter from the Host Community Chairperson Carmen Granto that identified a number of items. Mr. Rappold explained that this resulted in the generation of the report *[attached hereto and made a part hereof these minutes]* that enhances the presentation and addresses every question raised by the Committee. Letters of support were sent directly to Chairperson Granto.

Mr. Rappold introduced Steve Rebholz, the architect for the Lewiston-Porter project from SWBR Architects; Tom Dee and Andy Schuler, Construction Manager and Clerk of the works for the project; Marg Partridge, a landscape architect who is coordinating, facilitating and organizing the connectivity of the bike trail with Lewiston Porter Schools, the Town of Lewiston and the Town of Porter; and Dave Quattrini, Superintendent of Buildings and Grounds for Lewiston Porter schools.

#### **Q. Has the Greenway Commission been consulted?**

*A. Mr. Rappold stated that on June 6 he sent a letter to the Greenway Commission, to Mr. Kresse and copy to Mr. Belue. They asked for another copy of the report and the disk which was provided. Lew Port is now working with the Greenway Commission.*

#### **Q. Have they approved it?**

*A. No. Lewiston Porter asked for their thoughts on the project.*

## 5.0 Project Presentations

### 5.1 Lewiston- Porter School District

#### 5.1.1 Lewiston-Porter Recreational Complex (Continued...)

**Q. Mr. Daly referred to page 24; he asked for a better break down of what the numbers represent due to the fact that there was some preliminary work done prior to September 1. The costs are just since September 1.**

**A. Mr. Rappold indicated that Lewiston Porter used their signing bonus of \$1.2 million for the preliminary costs.**

**Mr. Daly asked if Mr. Rappold could show that.** *Mr. Rappold stated that they are bonding this, therefore, payment over the next 15 – 18 years is aimed at reducing the debt service of principal and interest. Mr. Daly explained that he wants to see the costs broken down...i.e., \$900,000 for changing rooms. He would like to see what work was done after September 1 in more detail.*

Chairman Granto asked Mr. Daly to contact Mr. Rappold and let him know the level of detail he would like and Mr. Rappold will get that information back to him.

Chairman Granto stated that the Greenway Commission does not meet until September and he asked Mr. Widger his opinion on how or if the committee should act on this project. Chairman Granto stated that it is his understanding that the Committee reviews any comments received from the Greenway committee before acting on a project.

Mr. Widger read from the protocol, page 6, regarding Consultation: “The proponent has to submit written evidence of consultation with the Greenway Commission...” and the second paragraph goes on to read “The consultation period shall end and the consultation shall be considered complete 90 days after initiated, whether or not a response is received and whether or not the consulting that the project is consistent.”

A discussion followed. Mr. Daly stated he feels Lew-Port has communicated well with the Commission; however, the contacts back in 2006 were not with individuals who were on the Greenway Commission. Mr. Daly stated that there is a process in place that should be followed. Mr. Rappold stated that they did consult with the Greenway architects, Mr. Belue and they also attended every single Greenway meeting. Mr. Rappold stated he feels they have met their obligation at this time to get an approval from this Committee, regardless of what the Greenway does. Mr. Rappold stated he is willing to wait the 90 days for the Greenway decision, but would like approval at this time from the HC Committee.

## 5.0 Project Presentations

### 5.1 Lewiston- Porter School District

#### 5.1.1 Lewiston-Porter Recreational Complex (Continued...)

Chairman Grant asked what would happen if the Greenway Commission found something critical that the HC Committee missed, putting the Committee in the position of possibly having to rescind something they approved. He would like to avoid this possibility, even though the Committee will have the final say.

***Mr. Ross made a motion to approve the project as presented for the Lewiston-Porter Recreational Complex, Project No. HCSC-08-002, to be funded through the Lewiston Porter School District Greenway Recreation/Tourism Fund in the amount of \$420,000 annually. Mr. Hapeman seconded the motion.***

***A roll call vote was taken.***

Town of Lewiston	Yes
Town of Niagara	Yes
Lewiston Porter	Yes
City of Niagara Falls	Yes
Niagara-Wheatfield	Yes
Niagara County	Yes
New York Power Authority	No
Niagara Falls Schools	Abstained

***Motion failed to reach consensus.***

### 5.2 City of Niagara Falls

#### 5.2.1 Riverview Train Comfort Station – Project No. HCSC-08-004

#### 5.2.2 LaSalle Blueway Trail – Project No. HCSC-08-005

Mr. O'Donnell introduced Sherry Shepherd Carulli to make the presentations. Ms. Carulli explained that these are two components of an overall plan for the LaSalle area and the last piece of public property on the riverfront in LaSalle. She explained that the LaSalle Blueway Trail includes the installation of a canoe launch next to the Century Club property, which will constitute the first part of the Blueway Trail. This will also include new lighting and landscaping, and signs will be posted along the shore identifying the Blueway Trail. This project was approved by the Niagara River Greenway Commission on March 18, 2008. The request is for \$105,500 from the City of Niagara Falls' Greenway funds. *[A copy of this presentation is attached hereto and made a part hereof these minutes.]*

## 5.0 Project Presentations

### 5.2 City of Niagara Falls (Continued...)

#### 5.2.1 Riverview Train Comfort Station – Project No. HCSC-08-004

#### 5.2.2 LaSalle Blueway Trail – Project No. HCSC-08-005

The Riverview Train Comfort Station project involves the renovation of a comfort station that was erected but never completed back in 1994. Lighting and landscaping will also be done. This is located at 6611 Buffalo Avenue, commonly known as the former “Century Club” property and it is at the terminus of the Niagara Riverview hiking/biking trail. This project was approved by the Niagara River Greenway Commission on May 20, 2008. The request is for \$76,475 from the City of Niagara Falls’ Greenway funds. *[A copy of this presentation is attached hereto and made a part hereof these minutes.]*

**Q. Does the City of Niagara Falls own the Century Club site now?**

**A. Yes.**

**Q. Will there be any further development on that property?**

**A. The City Council voted earlier this year to declare the Century Club site a public park, therefore if there were any development on the site it would be a concession and that would be part of the public planning process.**

***Mr. O’Donnell made a motion to approve the project as presented for the Riverview Train Comfort Station, Project No. HCSC-08-004, to be funded through the City of Niagara Falls Greenway Recreation/Tourism Fund in the amount of \$76,475. Mr. Newlin seconded the motion.***

***A roll call vote was taken.***

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

***Motion passed 8 – 0.***

## 5.0 Project Presentations

### 5.2 City of Niagara Falls (Continued...)

#### 5.2.1 Riverview Train Comfort Station – Project No. HCSC-08-004

#### 5.2.2 LaSalle Blueway Trail – Project No. HCSC-08-005

*Mr. O'Donnell made a motion to approve the project as presented for the LaSalle Blueway Trail, Project No. HCSC-08-005, to be funded through the City of Niagara Falls Greenway Recreation/Tourism Fund in the amount of \$105,500. Mr. Newlin seconded the motion.*

*A roll call vote was taken.*

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

*Motion passed 8 – 0.*

### 5.3 Town of Lewiston

#### 5.3.1 Freedom Crossing Monument

Lee Simonson, a volunteer with the Historical Association of Lewiston was introduced. Mr. Simonson explained that the Freedom Crossing Monument is a monument that is going to commemorate the courage of both the fugitive slaves and volunteer people of the Underground Railroad who helped the slaves to freedom in Canada. The bronze life-size monument will be placed in a Village park. Mr. Simonson stated that this was the first project ever approved by the Niagara River Greenway Commission, they received unanimous approval from the Village of Lewiston, unanimous approval from the Town of Lewiston; and they are seeking the unanimous approval of the Host Community Standing Committee. Mr. Simonson stated that they are anxious to get this project underway as copper is a major element in bronze and with copper prices increasing they would like to lock in some of the pricing before they increase any further.

Mr. Simonson stated that they feel this will be an iconic symbol on the lower Niagara River as this is where it happened and where hundreds of slaves actually escaped. It is also called "Freedom Crossing" because there is a book written by Town of Niagara author, Margaret Goff Clarke, of that same title. This is required reading in 5<sup>th</sup> grades across the United States and they do have permission from the publishers to use the name.

## 5.0 Project Presentations

### 5.3 Town of Lewiston

#### 5.3.1 Freedom Crossing Monument (Continued...)

**Q. Which Park will the statue be placed in?**

**A.** A little south of the Silo Restaurant in the green space of the park.

**Q. Were there any comments provided by the Greenway Commission – adjustments or amendments to your proposal?**

**A.** No.

Supervisor Newlin stated he would like to commend Mr. Simonson and Diane Finkbeiner from the Town Historical Society for their terrific work on this project as it will play a critical part in developing historical tourism in Lewiston.

Mayor Dyster indicated that the City of Niagara Falls provided a support letter for this project.

***Mr. Newlin made a motion to approve the project as presented for the Freedom Crossing Monument, to be funded through the Town of Lewiston Greenway Recreation/Tourism Fund in the amount of \$180,000. Mr. O'Donnell seconded the motion.***

***A roll call vote was taken.***

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

***Motion passed 8 – 0.***

## 6.0 Greenway Update

### 6.1 Greenway Commission Meeting Minutes of June 17, 2008

Mr. Ferraro stated that his staff continues to attend the Greenway Commission meetings, as evidenced by the attached minutes provided for the Committee's review and information.

## **7.0 Other Matters**

### **7.1 Host Community Standing Committee Fund Entity – T. Burgasser**

Mr. Burgasser indicated he met with HSBC and the fund accounts are set up and at this time they are just waiting for the monies to arrive. He indicated that the collateralization documents have been received by Ms. Melloni. Ms. Melloni indicated that the bank is asking when the money will be deposited in the main account. Mr. Daly indicated that the money will be transferred (\$6 million) by July 1, 2008. Mr. Burgasser asked who the Committee should contact regarding the interest the money earned. Mr. Daly stated that he forwarded the email to Mr. Chase who was looking into it; Mr. Chase is on an extended leave at this time so Mr. Daly will have to follow up on it.

### **7.2 Host Community Project Review Process – S. Ferraro**

Mr. Ferraro made a presentation to recap where the Committee is relative to the Greenway. He indicated that the Recreation/Tourism fund also includes other stakeholders in addition to this committee. The presentation includes the map of the Greenway boundary approved by the Greenway Commission, which include the trail extensions that were recommended to the Commission by the NPC members. Mr. Ferraro reviewed the application requirements (guiding principles); Greenway goals, and the Action Plan Criteria. Mr. Ferraro reviewed the Project Review Form and Steps for the Review Process which are also included in the presentation handout.

*[Presentation is attached hereto and made a part hereof these minutes.]*

Mr. Newlin asked, for future reference, if the packet could also include the actual language from the HC Agreement, as well as the signature pages.

### **Host Community Standing Committee Protocol**

Mr. Widger referred to the fact that there were some subtle grammatical changes that he has suggested for the final protocol; and it is necessary to revise a small portion of the protocol referring to the General Audit. The State Comptroller's Office had some concern with the way the statement read. The original language made it look like it was mandatory for the Comptroller's office to perform an audit, and they were concerned that we would be requesting them to complete an audit. Therefore, Mr. Widger made a change to the language to indicate that the Audit by the Comptroller's Office is essentially their option. Mr. Daly made a suggestion for modifying the language in that provision starting with the second sentence, as follows: *"The Audit shall be conducted by the Office of the New York State Comptroller (OSC), or in the event that the OSC declines, an independent auditor agreed upon by all members of the Standing Committee."*



**8.0 Next HCSC Meeting:**

**Date: To Be Determined**

**9.0 Adjournment**

Mr. Newlin made a motion, seconded by Mr. O'Donnell to adjourn the meeting. Meeting was adjourned at 3:45 p.m.

Respectfully submitted,

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Mary P. Melloni  
Recording Secretary