

## HOST COMMUNITIES STANDING COMMITTEE MEETING MINUTES

Friday, December 9, 2008 –12:00 p.m.

Niagara County Department of Economic Development

6311 Inducon Corporate Drive

Sanborn, New York 14132

### Representatives Present:

Carmen C. Granto, Superintendent,  
Chairman, HCSC  
Paul A. Dyster, Mayor  
Donald Rappold, Interim Superintendent  
Rob Daly, Special Advisor, Relicensing  
William L. Ross, Chairman, NC Legislature  
Scott Hapeman, Esq., Counsel  
Fred M. Newlin, Supervisor  
Michael Risman, Esq.

Niagara Falls City School District  
City of Niagara Falls  
Lewiston-Porter School Dist  
New York Power Authority  
Niagara County  
Niagara Wheatfield School District  
Town of Lewiston  
Town of Niagara

### Guests:

Thomas O'Donnell, Esq.  
Chris Roser  
Tom Burgasser, Esq.  
Angelo Massaro, Esq.  
Jackie Siegmann

City of Niagara Falls  
Lewiston Porter School District  
Niagara County  
Niagara Falls School District  
Town of Niagara

### Staff Present:

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

---

#### 1.0 Call to Order

Chairman Granto called the Host Communities Standing Committee meeting to order at 12:09 p.m.

#### 2.0 Roll Call

Ms. Melloni called the roll; a quorum was established. Chairman Granto stated that the City of Niagara Falls asked that they be permitted to present their projects ahead of Lewiston-Porter. There were no objections.

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

##### **4.1 June 25, 2009**

*Mr. Daly made a motion, seconded by Mr. Rappold, to approve the minutes of the June 25, 2008 meeting.*

#### **5.0 Project Presentations**

##### **5.2 City of Niagara Falls**

Mayor Dyster explained that the City of Niagara Falls is presenting three projects to the Standing Committee; each received a consistency judgment from the Niagara River Greenway Commission. He stated that he serves on the Niagara River Greenway Commission, but does not vote on the City of NF projects. He explained that the City of Niagara Falls has taken some area-wide projects and broken them into individual projects, i.e. the 93<sup>rd</sup> Street Bridge project is part of the LaSalle Waterfront package of initiatives that the City is taking. The Customhouse project is very significant to heritage tourism, and also is the first phase of the construction of the new transportation center in the City of Niagara Falls. The Parks Planning project involves the process of doing various work to modernize and improve the City's parks system. Sherri Shepherd-Corulli was introduced by Mayor Dyster to present the projects.

##### **5.2.1 93<sup>rd</sup> Street Bridge Replacement (\$138,812)**

Ms. Shepherd-Corulli explained that this is the replacement of a bridge that has become structurally unsound and dangerous. It sustained severe structural damage and was closed for the summer after a resident fell through. The bridge offers a good connection to neighborhood parks and ball diamonds. The City is looking to promote uses of the parks and provide safe access to creeks and parks for everyone. Their budget shows preliminary estimates of \$163,812 for a project total; the City will be contributing \$20,000 cash and \$5,000 in-kind for administration and construction supervision. They are requesting \$138,812 in Greenway funding.

##### **5.2.2 Customhouse Interior Restoration (\$100,000)**

Ms. Shepherd-Corulli explained that this project involves interior renovations; preserving and celebrating one of the City's oldest heritage resources. Customhouse was built 1863 near the site of the original suspension bridge that was used by Harriet Tubman to bring slaves to freedom via Canada. The building was placed on the National Registry in 1973 at which time it was owned by New York State Parks. From there it was owned by a private concern and purchased by the City. It was placed on the "Seven to Save" list by the Preservation League of NYS in 2005.

## **5.0 Project Presentations**

### **5.2 City of Niagara Falls**

#### **5.2.2 Customhouse Interior Restoration (\$100,000) Continued...**

Plans for this building are to house an Underground Railroad interpretive center. It will connect to the new international transportation center. The location and transportation center will offer international promotion of the City and lead to a catalyst for development. Budget is approximately \$250,000. They have submitted an application to an environmental protection fund, and are requesting a portion of the match for this grant. Ms. Shepherd-Corulli reviewed a breakdown of funding commitments.

She explained that they have started the roof and hope to start the railway portion next year. They are also waiting the announcement of the EPF award. The exterior is fully funded; the build-out on the interior will be done as funds accumulate. The building will connect to new railway station. Amtrak will be relocated to this facility bringing it closer to the border and downtown Niagara Falls.

#### **5.2.3 Parks Planning (\$75,000)**

Ms. Shepherd-Corulli stated that for this project they have also submitted a grant application to the Environmental Protection Fund. They have received notification that they were awarded \$132,500 which is 50% of what they hope to match. The project involves having a consultant inventory all the parks throughout the City and assess them so that the City can set up a plan to improve the parks and in the process devise a trail system to connect all parks and neighborhoods, ultimately to waterfronts. The second part of the project will be to develop a conceptual design. They are looking to use existing public right of ways so they are not tampering with the natural landscaping by using a combination of way-finding aids: signage, pavement markings / crosswalks, bikeways, etc. They will preserve the ecological balance. The trail system will be used to promote accessibility to city's natural resources...the upper Niagara River and the gorge area. The project is estimated at \$265,000; they are requesting \$75,000 from the Greenway fund; \$132,500 has been awarded from Coastal Resources.

Mr. Grant noted that the Greenway Commission approved all three projects on September 16, 2008. He asked that corrections be made on Pages 2, 8 and 10 of the respective documents which state that "the City of Niagara Falls respectfully requests release of funds from the Niagara River Greenway Commission." It needs to read "from the Host Community Standing Committee."

## 5.0 Project Presentations

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

Chairman Grant asked that the three projects be voted on separately, as follows:

***Mr. Risman made a motion to approve the project as presented for the City of Niagara Falls 93<sup>rd</sup> Street Bridge Replacement Project, Number HCSC-08-007. Resolution as follows:***

*WHEREAS, the City of Niagara Falls has applied to the Host Communities Standing Committee for funding in the amount of \$138,812.00 for its 93<sup>rd</sup> Street Bridge Replacement 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 **\$138,812.00** for the **City of Niagara Falls 93<sup>rd</sup> Street Bridge Replacement Project** is approved; and*

*BE IT FURTHER RESOLVED, that a certified copy of this resolution is forwarded to HSBC Bank.*

***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	Yes
Niagara Falls Schools	Yes

***The resolution was thereupon duly adopted.***

---

***Mr. Risman made a motion to approve the project as presented for the City of Niagara Falls Customhouse Interior Restoration Project, Number HCSC-08-008. Resolution as follows:***

*WHEREAS, the City of Niagara Falls has applied to the Host Communities Standing Committee for funding in the amount of \$100,000 for the Customhouse Interior Restoration Project; and*

*WHEREAS, this project was submitted to the Niagara River Greenway Commission for consultation.*

**5.0 Project Presentations**

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

*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 **\$100,000.00** for the **City of Niagara Falls Customhouse Interior Restoration Project** is approved; and*

*BE IT FURTHER RESOLVED, that a certified copy of this resolution is forwarded to HSBC Bank.*

**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	Yes
Niagara Falls Schools	Yes

***The resolution was thereupon duly adopted.***

---

***Mr. Newlin made a motion to approve the project as presented for the City of Niagara Falls Parks Planning Project, Number HCSC-08-009. Resolution as follows:***

*WHEREAS, the City of Niagara Falls has applied to the Host Communities Standing Committee for funding in the amount of \$75,000.00 for its Parks Planning 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 **\$75,000.00** for the **City of Niagara Falls Parks Planning Project** is approved; and*

## 5.0 Project Presentations

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

*BE IT FURTHER RESOLVED, that a certified copy of this resolution is forwarded to HSBC Bank.*

***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	Yes
Niagara Falls Schools	Yes

***The resolution was thereupon duly adopted.***

### 5.1 Lewiston Porter Central School District

#### 5.1.1 Lewiston-Porter Recreational Complex (\$420,000/year for 11 years)

Mr. Rappold explained that this project has been presented to this Committee a number of times, to the Buffalo News Editorial Board, to the Greenway Commission, and now returns to the Host Community Standing Committee to ask approval to proceed. They have responded to the comments of the Greenway Commission which advised them they did not have enough connectivity to the river. *[This document will be attached hereto and made a part hereof these minutes]*. Mr. Rappold stated there will be one change to the proposal in response to Mr. Daly. Originally they were asking for the \$420,000 to pay on their debt service; they are now asking for the \$420,000 for 11 years instead of 15 years and it will be to cover the shovel-in-the-ground concept as the New York State Power Authority interprets that.

Mayor Dyster stated that in the interest of full disclosure and as the minutes of the September 16, 2008 Greenway Commission will show, as a member of the Commission and acting in the role of Commissioner and judge of project consistency, he voted this plan inconsistent. He felt that at that time a very helpful suggestion was made by Mark Thomas from NYS Parks to try and break out individual project components that might individually represent significant contribution to project costs, but might individually be capable of being judged consistent by the Greenway Commission. Mayor Dyster asked if any thought was given to try to presume that angle.

Mr. Rappold stated that they have had discussions with their landscape architect who has met with representatives from the Town of Porter talking about the connectivity that the campus has with the river in terms of bike trails. They have also been in discussions with their Director of Community Continuing Education about offering courses such as kayaking.

## 5.1 Lewiston Porter Central School District

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

Mr. Newlin stated that within two or three miles there are parallel paths to the river so it will not be too lengthy to make the connection to Lewiston-Porter School.

Mr. Daly thanked Lewiston Porter for providing information that NYPA requested. The project, as it is right now and based on the information provided, is not an issue of consistency so much as eligibility. The settlement agreement does not allow the use of these funds to meet obligations that existed as of or prior to September 1, 2007. He stated that from the information he was provided by Lewiston-Porter's consultants, the vast majority of the project (athletic field, maintenance building, etc.) were obligations prior to September 1, 2007 based on the fact that there was construction going on.

Mr. Rappold stated that they have modified their proposal to reflect that interest. Andy Schuler from Cannon Design stated that after speaking with Mr. Daly and learning more about the direction to be followed, the projects he is referring to within that time frame have been taken out.

***Mr. Newlin made a motion to approve the project as presented for the Lewiston Porter School District Recreational Complex Project, Number HCSC-08-002. Resolution as follows:***

WHEREAS, Lewiston Porter Central School District has applied to the Host Communities Standing Committee for funding in the amount of \$420,000.00 per year for a period of eleven (11) years for its Recreational Complex 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 **\$420,000.00** per year for a period of eleven (11) years for the **Lewiston Porter Central School District Recreational Complex Project** is approved; and

**5.1 Lewiston Porter Central School District**

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

BE IT FURTHER RESOLVED that a certified copy of this resolution is forwarded to HSBC Bank.

***Mr. Ross seconded the motion. A roll call vote was taken.***

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

***The resolution was thereupon duly adopted.***

**6.0 Greenway Update**

- **July 15, 2008**
- **September 16, 2008**
- **October 21, 2008**
- **November 18, 2008**

Chairman Grant stated that the minutes of the above named Greenway Commission meetings are attached for review. Mr. Ferraro stated that Mr. Bidell continues to attend these meetings and will provide minutes on a regular basis.

**7.0 Other Matters – None.**

**8.0 Next HCSC Meeting: To be Determined**

**9.0 Adjournment**

Mr. Ross in made a motion, seconded by Mr. Richards, to adjourn the meeting. Meeting was adjourned at 3:00 p.m.

Respectfully submitted,

---

Mary P. Melloni  
Recording Secretary