

HOST COMMUNITIES

STANDING COMMITTEE MEETING MINUTES

Tuesday, December 1, 2015 – 12:00 p.m.

Niagara County Department of Economic Development

6311 Inducon Corporate Drive
Sanborn, New York 14132

Representatives Present:

Cynthia Bianco, Superintendent / Chairperson, HCSC
Paul Casseri, Superintendent
Lou Paonessa
William L. Ross, Chairman, NC Legislature
Scott Hapeman, Superintendent
Lee Wallace, Supervisor
Ron Winkley, Acting Supervisor
Thomas O'Donnell, Esq.

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

Alternates/Guests:

Bernie Rotella
Thomas Burgasser, Esq.
Steve Broderick, Supervisor Elect
Wright Ellis, Supervisor
Jackie Siegmann
Gary Rouleau
Jim Pritchard
Ned Schimminger

Town of Cambria Park Comfort Station
Niagara County
Town of Lewiston
Town of Cambria – Town Park Comfort Stn.
Town of Niagara
Riviera Theatre
Riviera Theatre
Historical Society of the Tonawandas

Staff Present:

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

Chairperson Bianco called the Host Communities Standing Committee meeting to order at 12:04 p.m.

2.0 Roll Call

Ms. Melloni called the roll. A quorum was met

3.0 Pledge of Allegiance

Chairperson Cynthia Bianco led the Pledge of Allegiance.

4.0 Introductions

5.0 Approval of Meeting Minutes of October 6, 2015

Mr. Paonessa made a motion, seconded by Mr. O'Donnell, to approve the meeting minutes of October 6, 2015. Motion passed.

6.0 Niagara County

6.1 Riviera Theatre Expansion Project – Gary Rouleau/Jim Pritchard

(Determined Consistent by NRCG on 7/21/2015; Approved for funding in the amount of \$50,000 by Niagara County on 8/04/2015)

Ms. Bianco explained that these individuals were present at the last meeting; however, their project was not on the agenda. They did make a presentation and were asked to return in order for the committee to follow protocol in considering the project.

6.0 Niagara County (Continued...)

**6.1 Riviera Theatre Expansion Project – Gary Rouleau/Jim Pritchard
(Determined Consistent by NRCG on 7/21/2015; Approved for funding in the amount of \$50,000 by Niagara County on 8/04/2015)**

Mr. Rouleau explained that this is a \$6 million, 20,000 square foot addition on the Main Street side of the theatre, adding all new amenities, a small performance theatre (Black Box Theatre), new restrooms that are ADA compliant, a new elevator to the balcony of the theatre, washrooms and showers for touring acts to draw in more national/international acts to the theatre. They currently draw approximately 100,000 patrons a year and with the addition will draw an additional 50,000. This will have an economic impact on the County of over \$4 million. They have been deemed a priority project from the WNY Economic Development Council, Buffalo Niagara Partnership, the City of North Tonawanda.

Mr. Widger stated that this project meets all procedural requirements. A motion was made by Mr. Ross and seconded by Mr. Wallace, to approve the request for funding in the amount of \$50,000 for the Riviera Theatre Expansion Project.

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 approved.

**6.2 Town of Cambria Town Park Comfort Station – Bernie Rotella/Wright Ellis, Supervisor
(Approved for funding in the amount of \$80,000 by Niagara County Legislature on 8/4/2015;
Determined Inconsistent by NRCG on 11/1/2015)**

Mr. Rotella explained that in 1999 the Town of Cambria purchased 100 acres of farmland on Upper Mountain Road with the intentions of developing a recreational park. The park development began in 2001 and in 2006 construction began on a nature trail. By 2010, along with funding assistance from NYS they developed nature trails, soccer diamonds. The park has picnic areas with grills and gazebos, however still lacks a permanent restroom facility. Since the park was developed the Town's Recreation and Sports programs have grown consistently and the Town has relied on portable bathrooms. They do not provide proper handwashing facilities or a baby-changing table and ADA accessibility. Since the baseball, soccer and softball programs have grown the town will need to accommodate more teams and lighting will be a necessity to accommodate evening games. The park is located within the wine trail, with wineries located a very short distance from the park. It is actually the center of 10 wineries located in the area. Over 7500 visitors come to the park during the summer; 300 teams from Canada, Ohio and Michigan and local communities. This project will promote and further the vision of the Niagara River Greenway Commission by serving as a recreational, educational and scenic gateway to visitors into Niagara County. The park is used by residents and visitors throughout the area. This tends to be a very busy trail system...there is access to the nature preserve in the back of the park. Mr. Rotella then reviewed the site plan for the park.

**6.2 Town of Cambria Town Park Comfort Station – Bernie Rotella/Wright Ellis, Supervisor
(Approved for funding in the amount of \$80,000 by Niagara County Legislature on 8/4/2015;
Determined Inconsistent by NRCG on 11/1/2015)**

Mr. Rotella explained that this project does a linear trail system that promotes the Greenway. Cambria must have the facilities to accommodate its growing sports programs and the thousands of park patrons each year. Mr. Rotella indicated that the NRCG determined the project to be inconsistent; although he felt that because of the location being close to the river the determination would be favorable. Most saw the benefits but some had issues with the budget. They did not understand that the ad hoc committee sponsored the project. That was addressed by providing a resolution. Their budget includes almost \$12,000 for the kiosk and signage. The restrooms will be open for as long as the seasons allow, as it is a 3-season park. The park is also a stopping point for the “Ride for Roswell” event each year.

Supervisor Ellis stated that the hours of operation of the park are from dawn to dusk, from April to the 1st of December. The location relative to the wine trail has been considered not contiguous to the trail. The fact is that 7 out of the 21 wineries on the trail are located in the Town of Cambria. He also stated that they have the support of the Niagara County Legislature.

Mr. Ross explained that the Niagara County Ad Hoc Committee voted 5-0 in favor of the project. When it was presented to the Committee of the Whole, the vote was 15-0 in favor. The Niagara County Legislature fully supports this project.

Mr. Widger stated that this project meets all procedural requirements. A motion was made by Mr. Wallace and seconded by Mr. Ross, to approve the request for funding in the amount of \$80,000 for the Town of Cambria Town Park Comfort Station.

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 approved.

**6.3 Historical Societies of the Tonawandas Niagara River & Erie Canal Signage – Ned Schimminger
(Determined Consistent by NRCG on 11/25/13; Approved for funding in the amount of \$28,000
by Niagara County Legislature on 8/04/2015)**

Mr. Schimminger explained that their project is the expansion of the signage along the Niagara River and Erie Canal, both in the City of Tonawanda and City of North Tonawanda. The overall cost of the project, which includes 22 signs is \$63,000. They have requested \$23,000 from Erie County and requested \$40,000 from Niagara County. Two years ago they were awarded consistency and this year were funded fully by Erie County for the \$23,000 they requested. Erie County side is in Tonawanda; so the intent of this project is to put similar signage on the North Tonawanda side of the canal and then extend signage all along the river in the City of North Tonawanda. In the City of Tonawanda the signage would be predominantly in Niawanda Park. On the Niagara County side (North Tonawanda), they propose to install 6 signs along the river (Gratwick Park, Fishermans, Tonawanda Island and 8 signs along the canal, all from downtown

6.3 Historical Societies of the Tonawandas Niagara River & Erie Canal Signage – Ned Schimminger (Determined Consistent by NRGC on 11/25/13; Approved for funding in the amount of \$28,000 by Niagara County Legislature on 8/04/2015)

North Tonawanda to Milestrip and to the boulevard. Mr. Schimminger showed some of the signage that was done for Erie County.

Mr. Burgasser stated that Niagara County approved \$28,000 of the \$40,000 requested. The money is for NRGC signage. Mr. Paonessa asked how they will recognize the funding partners on the signs. Mr. Schimminger stated that Niagara River Greenway will be spelled out with their logo. Mr. Burgasser stated they will also need to recognize Niagara Power Coalition/Host Community Standing Committee as well. Mr. Burgasser directed them to Jim Sobczyk in the Niagara County Public Works Department. Mr. Schimminger stated that if they are only getting \$28,000 they will do 9 signs instead of 14.

Mr. Widger stated that this project meets all procedural requirements. A motion was made by Mr. O'Donnell and seconded by Mr. Hapeman, to approve the request for funding in the amount of \$28,000 for the Historical Societies of the Tonawandas Niagara River & Erie Canal Signage.

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 approved.

7.0 City of Niagara Falls

7.1 Customhouse Harriet Tubman Plaza – Sherry Shepherd-Corulli (Determined Consistent by NRGC on 11/17/2015; Approved for funding in the amount of \$131,000 by Niagara Falls City Council on 11/30/2015)

Ms. Corulli explained that this project involves the development of the outdoor plaza that will sit on the north side of the customhouse, but it will adjoin the Customhouse property with the train station property. They are looking to incorporate some natural elements...stone from the train station hydraulic tunnel. Stone seating, period lighting, stone pavers. There will be an information kiosk pointing to other historical destinations, as well as Greenway destinations and points of interest along the Greenway Trail and the soon to come Underground Railroad Historic trail. They will also install a Harriet Tubman statue. It will also serve a place to catch some of the overflow from the train station. This will be the only outdoor heritage tourist facility in Niagara Falls and they are hoping to capitalize on that growing tourism trade. This will also serve as a designation or starting point for the walking trails being put together by the Heritage Commission, as well as a node along the upper gorge trail. Many people using the trail find they have to get off at the Whirlpool Bridge and there is nothing for them to do but walk on the street to get back on the trail. This will serve as a resting point and provide restroom facilities located in the train station, as well as a peaceful setting within the train station where refreshments will be available.

7.0 City of Niagara Falls (Continued...)

**7.1 Customhouse Harriet Tubman Plaza – Sherry Shepherd-Corulli
(Determined Consistent by NRCG on 11/17/2015; Approved for funding in the amount of \$131,000 by Niagara Falls City Council on 11/30/2015)**

Ms. Corulli stated that the City has submitted a CFA application for 50% of the total project cost of \$268,000; therefore are asking for \$131,000 from the Host Communities Standing Committee.

Mr. Widger stated that this project meets all procedural requirements. A motion was made by Mr. O'Donnell and seconded by Mr. Hapeman, to approve the request for funding in the amount of \$131,000 for the Customhouse Harriett Tubman Plaza.

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 approved.

**7.2 LaSalle Greenway Trail – Sherry Shepherd-Corulli
(Determined Consistent by NRCG on 11/17/2015; Approved for funding in the amount of \$410,000 by Niagara Falls City Council on 11/30/2015)**

Ms. Corulli explained that the LaSalle Greenway Trail is a portion of the original proposed LaSalle Recreationway Trail. This is just the far east portion of the City line, up to Buffalo Avenue where it becomes Cayuga Drive. The City has submitted a CFA application in the amount of \$410,000. The City would like to place some emphasis on what the NRCG has requested, which is to promote the continuity of the Greenway trail. It stops at 66th Street; and there is a project now to create a shared roadway from 66th Street to Cayuga. This will then connect that portion of it to the City line which will then connect with the Wheatfield trail that is currently under development. The City is looking to create a pedestrian bridge to go over Cayuga Creek and then continue to Griffon Park where it will then cross over to the South side, meet at the City line and turnaround. It will connect with the Wheatfield trail to continue the continuity. They are asking for \$410,000. The project has been determined a priority project by the Niagara Regional Economic Development Council.

Mr. Widger stated that this project meets all procedural requirements. A motion was made by Mr. O'Donnell and seconded by Mr. Hapeman, to approve the request for funding in the amount of \$410,000 for the LaSalle Greenway Trail project.

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 approved.

7.0 City of Niagara Falls (Continued...)

**7.3 Niagara Riverview Trail Improvements – Sherry Shepherd-Corulli
(Determined Consistent by NRGC on 9/15/2015; Approved for funding in the amount of \$225,000 by HCSC on 6/2/15; Approved for additional funding by Niagara Falls City Council on 11/30/2015 in the amount of \$20,000)**

Ms. Corulli explained that when the City went to bid, their bids came in at \$237,000. They are requesting an additional \$20,000 to eliminate the necessity of coming back to the HCSC for more funding if there are change orders, which is likely as with most projects. Any surplus will be returned to the HCSC bank account.

Mr. Widger stated that this project meets all procedural requirements. A motion was made by Mr. O'Donnell and seconded by Mr. Ross, to approve the request for additional funding in the amount of \$20,000 for the Niagara Riverview Trail Improvements project.

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 approved.

8.0 Town of Lewiston

8.1 Municipal Banking Resolution Approval

Mr. Widger stated that one of the procedural details required for purposes of disbursing the funding from the HCSC Greenway Fund is authorization for the individual municipalities to engage in banking relationships for their particular accounts. There is a need to update the current resolution that deals with the Town of Lewiston for First Niagara Bank. This resolution is for Mr. Winkley, who is currently the Acting Supervisor, until Mr. Broderick takes over in January, and then the resolution will be revised again.

A motion was made Mr. O'Donnell, seconded by Mr. Casseri, to approve the Municipal Banking Resolution for the Town of Lewiston with First Niagara 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 approved.

8.0 Town of Lewiston

8.2 Revised Project Resolutions - S. Widger

Mr. Widger explained that the Town of Lewiston had three projects (Lewiston Pletcher Road Park Restoration, Colonial Village Park Restoration Project, and Sanborn Park Restoration Project) which had been submitted for funding to this committee and in the course of reviewing those applications after they were funded it was determined that they had been finished prior to the funding authorization. There was some concern expressed about what the Committee's position should be with respect to the timing of approval of projects, how they were presented in terms of the portion of work completed, what would be expected of all projects with respect to funding prior to and post completion of some or all of the work. This was discussed at length with representative of the Town, both immediate and past administration and members of the ad hoc committee formed by the HCSC for the purposes of reviewing funding. Most recently Mr. Ross has had direct discussions on this issue and as a result of that the suggested approach is to ratify the previous funding resolutions, but modify them to reflect the cost incurred by the Niagara Power Coalition members who fund the administrative costs with anything associated with the Host Communities Standing Committee. It is suggested that that amount be deducted from the amounts awarded those three projects before their funding is released. What this means is that the original amounts that were approved for each of the three park projects in the amounts of \$41,000 for Lewiston Pletcher Road; \$41,000 for Colonial Village Park; \$43,500 for Sanborn Park, for a total of \$125,500, be reduced by \$23,500. The remainder will be left to the Town for the three projects in the amount of \$102,000. The Niagara Power Coalition will then receive reimbursement of \$23,500 to cover the legal costs incurred.

Mr. Casseri questioned the amount of legal fees incurred. Mr. Ross stated that there is a breakdown of those costs that can be provided. Mr. Ross stated that the Ad Hoc Committee met on several occasions. Mr. Widger stated that there was a lot of time and energy, plus the cost of dealing with the NYS Comptroller's office regarding inquiries that were made about the Town's involvement with other projects, i.e. Joseph Davis State Park.

Mr. Massaro asked if all issues have been resolved with the Comptroller's office; Mr. Widger stated that there have been no further inquiries received from them.

On the resolution in question, Mr. Hapeman made a motion to change longstanding to general policy in the 3rd Whereas clause, and remove repeat of First Niagara Bank in the Resolve, seconded by Mr. Ross. Motion passed. Mr. O'Donnell made a motion to approve the resolution as amended, seconded by Mr. Ross. Motion passed.

9.0 Any Other Matters

9.1 Minutes of NRCG Meeting of November 17, 2015 (Informational Only)

10. Next Meeting: January 26, 2016 - 12:00 p.m.

11. Adjournment

Mr. O'Donnell made a motion, seconded by Mr. Ross, to adjourn the meeting at 12:57 p.m.

Respectfully submitted,

Mary P. Melloni
Recording Secretary