

HOST COMMUNITIES STANDING COMMITTEE MEETING MINUTES

Tuesday, August 9, 2011 – 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, Business Manager

Michael Risman, Esq.

Steve Reiter, Supervisor

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:

Tom Prohaska

Chris Roser, Superintendent

Thomas Burgasser, Esq.

Scott Hapeman, Esq.

Mike Johnson

Bernie Rotella

Jackie Siegmann

Bruce Sutherland

Lee Simonson

Sandy Meis, Executive Director

Mark Scheer

Buffalo News

Lewiston-Porter School District

Niagara County

Niagara Wheatfield School District

Town of Lewiston

Town of Lewiston

Town of Niagara

Historical Association of Lewiston

Historical Association of Lewiston

Lewiston Jazz Festival

Niagara Gazette

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 12:07 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 May 23, 2011

Mr. O'Donnell made a motion, seconded by Mr. Risman, to approve the minutes of the May 23, 2011 meeting. Motion passed.

5.0 Project Presentations

5.1 Town of Lewiston

5.1.1 Battle of Queenston Heights Commemoration and Reenactment

This project was approved by the Town of Lewiston on March 14, 2011 for funding in the amount of \$25,000 and determined consistent by the Greenway Commission on July 19, 2011.

5.1.2 Tuscarora Heroes Monument

This project was approved by the Town of Lewiston on March 14, 2011 for funding in the amount of \$300,000 and determined consistent by the Greenway Commission on July 19, 2011.

Mr. Lee Simonson of the Historical Association of Lewiston gave an overview of the projects, the reasons for the reenactment of the War of 1812, and how the monument will honor members of the Tuscarora Indian Nation who fought bravely during the conflict. \$25,000 will be used to commemorate and re-enact the Battle of Queenston Heights, the first major battle of the war and \$300,000 to construct the monument. Both projects are key aspects of Lewiston's larger plans to commemorate next year's bicentennial of the War of 1812. The celebration will draw thousands of visitors to the Lewiston area next year, promoting aspects of the Niagara River and the vision of the Greenway.

Mr. Widger agreed that all criteria have been met to bring these projects to a final vote of the HCSC. Chairman Rappold read the resolution for the Battle of Queenston Heights:

*"WHEREAS, the Town of Lewiston has applied to the Host Communities Standing Committee for funding in the amount of **\$25,000.00** for the **Battle of Queenston Heights Commemoration and Reenactment** project; WHEREAS, this project was submitted to the Niagara River Greenway Commission for consultation; WHEREAS, the Host Communities Standing Committee, at a meeting held on August 9, 2011, 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 **\$25,000.00** for the **Battle of Queenston Heights Commemoration and Reenactment** project is approved; and BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to HSBC Bank."*

A motion was made by Mr. Ross, seconded by Mr. O'Donnell, to approve the Battle of Queenston Heights Commemoration and Reenactment project for funding in the amount of \$25,000.

A roll call vote was taken.

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|--------------------------|------------|
| 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 Town of Lewiston

Chairman Rappold read the resolution for the Tuscarora Heroes Monument:

*“WHEREAS, the Town of Lewiston has applied to the Host Communities Standing Committee for funding in the amount of \$300,000.00 for the Tuscarora Heroes Monument: War of 1812 Bicentennial project; WHEREAS, this project was submitted to the Niagara River Greenway Commission for consultation; WHEREAS, the Host Communities Standing Committee, at a meeting held on August 9, 2011, 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 **\$300,000.00** for the **Tuscarora Heroes Monument: War of 1812 Bicentennial** project is approved; and BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to HSBC Bank.”*

A roll call vote was taken.

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|--------------------------|------------|
| 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.

5.1.3 Historic Lewiston Jazz Festival

This project was approved by the Town of Lewiston on May 9, 2011 for funding in the amount of \$15,000 and determined consistent by the Greenway Commission on July 19, 2011.

Ms. Sandy Mies explained that this festival fits all the funding criteria: it has a huge economic impact, it attracts over 40,000 people, fills hotels and restaurants, and promotes the pathways along the Greenway corridor. It brings people to the Niagara River and trail heads in Lewiston, and into the historic Village of Lewiston. Mr. Reiter stated that because this is a 10th Anniversary celebration it fits the criteria set by the Greenway Commission.

Mr. Daly raised concerns, citing Section 7.3 of the Relicensing Settlement Agreement which sets a restriction on projects existing prior to September 1, 2007.

Mr. Widger stated that the NGRSA is broad enough to include this project, although it does not fit perfectly. It does promote tourism and advances economic development in Niagara County.

5.0 Project Presentations

5.1 Town of Lewiston

5.1.3 Historic Lewiston Jazz Festival (Continued...)

Mr. Massaro stated that granting the jazz festival request could open the door for similar requests to the Committee in the future and once that precedent is set, it would be easier for communities with ties to the Niagara River to request Greenway funding for similar festivals or perhaps even annual outdoor events like Fourth of July celebrations.

Mr. Daly questioned the procedure used in authorizing the allocation, noting that technically the Committee's guidelines bar it from supporting projects that predate the fall 2007 formation of the committee itself.

Mr. Daly stated that the Greenway Commission requested that the Town of Lewiston address the contractual restriction of the project predating 2007, but received no response. Mr. Rotella stated he will respond to the Greenway Commission and provide copies of the response to the group.

Chairman Rappold read the resolution for the Historic Lewiston Jazz Festival:

*WHEREAS, the Town of Lewiston has applied to the Host Communities Standing Committee for funding in the amount of **\$15,000.00** for the **Historic Lewiston Jazz Festival 2011** project; WHEREAS, this project was submitted to the Niagara River Greenway Commission for consultation; WHEREAS, the Host Communities Standing Committee, at a meeting held on August 9, 2011, 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 **\$15,000.00** for the **Historic Lewiston Jazz Festival 2011** 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.

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|--------------------------|------------|
| 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>No</u> |
| Niagara Falls Schools | <u>No</u> |

The resolution failed due to the question on timing of the project, i.e. being in existence prior to 2007.

Mr. O'Donnell made a motion, seconded by Mr. Ross, to reconsider the project. Motion passed.

5.0 Project Presentations

5.1 Town of Lewiston

5.1.3 Historic Lewiston Jazz Festival (Continued...)

Mr. Massaro made a motion, seconded by Mr. Ross, to vote on the consistency of the Historical Lewiston Jazz Festival project.

A roll call vote was taken on the issue of consistency of the Historical Lewiston Jazz Festival.

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|--------------------------|------------|
| 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>No</u> |
| Niagara Falls Schools | <u>No</u> |

The resolution to determine consistency failed.

Mr. Risman made a motion, seconded by Mr. Ross, to vote on the funding in the amount of \$15,000.00 for the Historical Lewiston Jazz Festival project.

A roll call vote was taken on the issue of consistency of the Historical Lewiston Jazz Festival.

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|--------------------------|------------|
| 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 to approve funding was thereupon duly adopted.

6.0 Niagara River Greenway Commission Meeting Minutes

- 6.1 Minutes of May 17, 2011 NRG Meeting**
- 6.2 Minutes of July 19, 2011 NRG Meeting**

Mr. Ferraro explained that these are provided as informational only and he and his staff will continue to monitor and report on these meetings.

7.0 Informational Materials

- 7.1 HCSC Project Status Report**

These were also provided as informational only.

8.0 Next HCSC Meeting: Tuesday, October 4, 2011, 12 Noon

9.0 Adjournment

Mr. Ross made a motion, seconded by Mr. Reiter, to adjourn the meeting. Meeting adjourned at 1:15 p.m.

Respectfully submitted,

Mary P. Melloni
Recording Secretary