

# AGENDA

## HOST COMMUNITIES STANDING COMMITTEE MEETING

Thursday, June 6, 2013 - 12:00 p.m.

Niagara County Department of Economic Development  
6311 Inducon Corporate Drive, Sanborn, New York 14132

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### Representative:

\_\_\_\_\_ Don Rappold - Lewiston-Porter School, *Chairperson*  
\_\_\_\_\_ Paul A. Dyster - City of Niagara Falls, *Vice Chairperson*  
\_\_\_\_\_ Cynthia Bianco, - City of NF Schools, *Secretary*  
\_\_\_\_\_ Steven C. Richards - Town of Niagara  
\_\_\_\_\_ Ashley Wood - Niagara Wheatfield School District  
\_\_\_\_\_ William L. Ross - Niagara County  
\_\_\_\_\_ Rob Daly, New York Power Authority  
\_\_\_\_\_ Steven L. Reiter - Town of Lewiston

### Alternate:

\_\_\_\_\_ Chris Roser, Superintendent  
\_\_\_\_\_ Thomas O'Donnell, Esq.  
\_\_\_\_\_ Angelo Massaro, Esq.  
\_\_\_\_\_ Michael Risman, Esq.  
\_\_\_\_\_ Scott Hapeman, Esq.  
\_\_\_\_\_ Thomas Burgasser, Esq.  
\_\_\_\_\_ Mike Johnson

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## AGENDA

1. Call to Order - *D. Rappold*
2. Roll Call - *M. Melloni*
3. Pledge of Allegiance - *D. Rappold*
4. Approval of Meeting Minutes - April 16, 2013
5. Project Presentations
  - 5.1 Niagara County
    - 5.1.1 The Haseley Einhaus (All-in-One House/Barn) Reconstruction - *John Schultz, Trustee, Historical Society of North German Settlements in WNY (NRGC on 9/18/12: Tie Vote=No Decision; Niagara County Legislature approved funding in amount of \$100,000 on 4/16/13) Letter from German Heritage Museum addressing NRGC concerns is attached.*
    - 5.1.2 Porter-on-the-Lake Improvement Project - *Bernie Rotella (NRGC Determined Consistent on 7/20/10; Niagara County Legislature approved funding in the amount of \$150,000 on 5/21/13)*
    - 5.1.3 Niagara 1812 Bicentennial Commemoration - *Brian Merrett (NRGC Determined Consistent on 1/17/12; Niagara County Legislature approved funding in the amount of \$43,000 on 5/21/13)*
    - 5.1.4 Town of Wilson Harbor Revitalization Project - *Joseph Jastrzemski (NRGC Determined Consistent on 9/18/12; Niagara County Legislature approved funding in the amount of \$70,000 on 5/21/13)*

**Agenda: Host Communities Standing Committee Meeting**  
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**5. Project Presentations (Continued...)**

**5.2 Town of Lewiston**

**5.2.1 Lewiston Civic Center - *Bernie Rotella***  
**(Town of Lewiston Approved Funding of \$9.2million or \$430,000/year**  
**over 30 years on 3/11/13; NRCG on 5/21/13: determined Not**  
**Consistent)**

**5.3 Lewiston-Porter School District**

**5.3.1 Lewiston-Porter Recreational Complex - Phase II - *Bernie Rotella***  
**(Lewiston-Porter School District Approved Funding of \$6.3million or**  
**\$420,000/year over 15 years on 5/22/13; NRCG on 5/21/13: deter-**  
**mined Not Consistent)**

**6. Niagara River Greenway Commission (*Informational Only*)**

**6.1 Minutes of May 21, 2013 Meeting**

**7. Next HCSC Meeting: July 23, 2013 - 12:00 p.m. (Subject to Change)**

**8. Adjournment**

**5.1.1**

**Haseley Einhaus**

**Host Communities Standing  
Committee  
Review Form**

Greenway Approval:	09/18/12 – No Decision
HCSC Project No:	HCSC-12-002
Funding Request:	\$ 100,000
HCSC Approval:	
Fund Transfer:	

**PROJECT SPONSOR INFORMATION:**

**Name:** Historical Society of North German Settlements in Western New York (aka: Das Haus und Der Stall German Heritage Museum)

**Mailing Address:** 2549 Niagara Road, Niagara Falls

**State:** NY **Zip Code:** 14304

**PROJECT TYPE**

**Check all that apply:**  Environmental  Cultural/Heritage  Land or Water Public Access  
 Cultural  Trail  Educational/Interpretive  
 Waterfront or Land Based Development  Signage  
 Recreational  Other

**Project Name:** The Haseley Einhaus (All-in-One, House/Barn) Reconstruction

**Location:** 2549 Niagara Road, Niagara Falls, Location of Das Haus und Der Stall German Heritage Museum

**Site Address:** 2549 Niagara Road, Niagara Falls

**State:** NY **Zip Code:** 14304

**Minor Civil Divison(s):** Hamlet of Bergholz, Town of Wheatfield

**County:** Niagara

**Project Proponent Property Interest (own, lease, easement or other):** Own Property

**AUTHORIZED OFFICIAL**

**Name:** Ms. Wilma Lass **Title:** Secretary

**Business Address:** 2549 Niagara Road, Niagara Falls

**State:** New York **Zip Code:** 14304

**Telephone Number:** 716-731-9905 **Cell Number:** \_\_\_\_\_

**Fax Number:** \_\_\_\_\_

**E-Mail Address:** [elastic@yahoo.com](mailto:elastic@yahoo.com)

**PROJECT POINT OF CONTACT**

**Name:** John Schultz **Title:** Trustee

**Business Address:** 2549 Niagara Road

**State:** Niagara Falls **Zip Code:** 14304

**Telephone Number:** 716-695-6741 **Cell Number:** 716-535-7690

**Fax Number:** \_\_\_\_\_

**E-Mail Address:** [Schultz001@Juno.com](mailto:Schultz001@Juno.com)

***If you have any questions regarding this form, please call 716-278-8760 for assistance.***



[www.dashausmuseum.org](http://www.dashausmuseum.org)

[dashausmuseum@gmail.com](mailto:dashausmuseum@gmail.com)

# Das Haus und Der Stall

## German Heritage Museum

Affiliated with The Historical Society of North  
German Settlements in Western New York

2549 Niagara Road  
Niagara Falls, NY 1430  
(716) 731-9905

September 26, 2012

R.A. Belue  
Executive Director  
Niagara River Greenway Commission  
2136 West Oakfield  
Grand Island, NY 14072

Dear Mr. Belue,

We have received your letter indicating the Niagara River Greenway Commission's Non-Decision regarding our application for the "Haseley Einhaus Reconstruction". Seeing as the commission's vote was 5 for and 5 against compliance, and the only question asked was "how far our project is from the river?" (ans. 3 miles) we must assume that the "no" votes were because those commission members felt that our proposal was not sufficiently "connected to" the Greenway corridor area.

We disagree with the dissenting members of the commission. Is the Niagara River Corridor just water? Isn't the real reason for the entire project to highlight the river and the adjacent communities by encouraging the development of new and interesting things to do in the communities that "touch" the river? It seems clear to us that the Greenway includes our project site which is located in the Town of Wheatfield. Please see below for supporting documentation.

Additionally, the location of our project "connects" to the Niagara River in many extra ways:

1. Bergholz creek, located approximately 300 feet from our proposed facility flows into Cayuga Creek and then into the Niagara River.
2. Sawyer Creek flows out of Bergholz and into the Erie Canal and thus into the Niagara River. In fact the original settlers used Sawyer creek to "float out" lumber that had been harvested in Bergholz and the surrounding farmland.
3. The first Prussian / German settlers settled precisely in the Greenway corridor because the swampy, and therefore less expensive, land was familiar to them. Seeing as they were farmers from a place in Germany located along the Oder River, they were knowledgeable about the proper way to drain land to farm it, which they did. Please look at a property map of Wheatfield from the 1860's on and see how close to the river these farms were. Williams road was first the Williams farm. All along Jagow road were German farms virtually abutting the Niagara River.

4. The soil in our part of the Niagara River Corridor has a great deal of clay in it. The farmers also knew how to grow a special type of wheat that was matched to this type of soil. Also this clay was used by potter Karl Medwalt to create pots, cooking utensils and dishware and well as special clay sculptures. These special "Bergholz" clay artifacts are collectables in high demand now.
5. A "Sister" community of the Prussian immigrants to Bergholz was Martinsville, located right on the Erie Canal. Martinsville, Bergholz and Walmore were all settled around the same time by the same people.

It seems quite ironic to us that a facility dedicated to remembering the stories of the actual people who lived, worked their entire lives and are buried in the Niagara River Greenway Corridor from Gratwick in N. Tonawanda through Wheatfield and into Niagara Falls is deemed "not compliant" to the Niagara River Greenway Plan because it's not "Connected" enough.

After talking to Niagara County and the Town of Wheatfield we are also adjusting our proposal to enhance the signage component of our proposal to install a trail head sign at the museum and additional signs on nearby roads thereby improving our connectivity to other Greenway projects.

We ask the dissenting members to reconsider their vote based on the merit of our proposal in light of the above information.

Sincerely,

John F. Schultz  
Board Member, The Historical Society of North German Settlements in WNY

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From Wikipedia, the free encyclopedia – Definition of the Niagara River Greenway Plan.

...The Greenway is defined by Municipal boundaries. Currently 13 Towns, Villages, Cities and Municipalities are located within the Greenway.

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## NIAGARA RIVER GREENWAY PLAN AND FINAL ENVIRONMENTAL IMPACT STATEMENT

### NIAGARA RIVER GREENWAY COMMISSION APRIL 4, 2007

#### **What are the boundaries of the Niagara River Greenway?**

During the planning process, many different visions for the geographical boundaries of the Niagara River Greenway were presented. The issue of boundaries led to much public debate and discussion. The primary division was between those who wanted to take a narrow approach to boundaries, including only those areas clearly adjacent to the Niagara River, and others who wished to include a wider geographical area.

In the end, the NTGC chose to follow municipal jurisdictional lines in setting the boundary of the Niagara River Greenway. Thus, those municipalities that border the Niagara River, together with the Town of Niagara and the Village of Kenmore, are part of the Niagara River Greenway. The Niagara River Greenway encompasses thirteen municipalities: the Towns of Porter, Lewiston, Niagara, Wheatfield, Grand Island and

Tonawanda, the Cities of Niagara Falls, Buffalo, North Tonawanda, and Tonawanda, and the Villages of Youngstown, Lewiston, and Kenmore.<sup>i</sup>

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**Minutes**  
**The 48<sup>th</sup> Meeting**  
**Of the**  
**Niagara River Greenway Commission**  
**Beaver Island State Park**  
**Grand Island, NY**  
**September 18, 2012 3:00 pm**

The meeting was called to order by Chairman Robert Kresse at 3:04 pm. Amy Kinsky was directed to call the roll and a quorum of members was determined to be present.

The following Commissioners or their designated representatives were in attendance:

Robert Kresse, Chairman  
Ron Pilozzi, Chair Local Government Advisory Committee  
Ed McDonald, Commissioner  
Angela Berti for Mark Thomas, NYS OPRHP  
Tim DePriest, NYS Department of Environmental Conservation  
Raymond Witzleben, Empire State Development  
Rob Daly, New York State Power Authority  
Rob Belue, Executive Director Niagara River Greenway Commission

Absent: Paul Dyster, Vice Chairman, Sean Edwards, Treasurer, David Hahn-Baker, Chair Citizens Advisory Committee

There was a proxy vote for: Renee Parsons-DOS, Sean Edwards, and Ron Hayes-DOT

**Approval of Minutes**

The minutes of the July 17, 2012 meeting were reviewed. A motion to approve the minutes was made by Commissioner Ed McDonald, seconded by Commissioner Ron Pilozzi. The meeting minutes were then approved unanimously as submitted.

**Comments from the Chairman**

None

**Public Comment- Current Agenda**

No speakers

**Committee Reports**

**Financial Report**

Chairman Kresse postponed the report until the next meeting. A motion to approve the decision was made by Commissioner Ed McDonald and seconded by Commissioner Ron Pilozzi.

### **Paddles Up Niagara 2012 Wrap-Up**

Executive Director Rob Belue gave a brief wrap-up of the event. There were 160 pre-registered and a total of 235 participants despite the rain that fell south of Grand Island on that day. The expenses for the event came in at \$3700 with total cash and in-kind revenues totaling \$11,650. The event was a success.

### **Old Business**

#### **Project Consistency Review**

Chairman Kresse asked the Executive Director to take over this part of the meeting. The Executive Director explained the procedures that would be followed for project review. A 5-7 minute overview of the project followed by Commission members asking questions they may have on the project. The process will conclude with a vote on consistency to the Niagara River Greenway Plan.

#### **Historical Society of North German Settlements in WNY- The Haseley Einhaus Reconstruction**

The presenters; John Schultz and Wilma Lass.

The questions asked by the Commission were:

- How far is this project from the rivers edge?

Chairman Kresse called for a vote which resulted in a tie. A tie vote equals a no decision and the vote is lost.

#### **Town of Wilson- Wilson Harbor Revitalization**

The presenters; Joe Jastrzemski, David Godfrey, Lisa Stephens, and Tom Burgasser

The questions asked by the Commission were:

- What is the cost of the project?
- Is the Army Corps responsible for the work at the marinas?
- Are there other funding resources?
- Why has it been so long since this has been done?
- Is there a plan for the future?
- Is this part of the Greenway plan?
- Is this a maintenance project?

A letter from the DOS was read by Executive Director Rob Belue.

Are you aware that potential funding provided under the Environmental Protection Fund Local Waterfront Revitalization Program (EPF LWRP/2008), and an update to the *Regional Dredging Plan for Lake Ontario* is currently being prepared by Orleans County, in partnership with the Counties of Niagara, Oswego, Monroe, and Wayne, and the Town of Greece and City of Oswego. The updated plan will include Orleans and Niagara Counties -- and Wilson Harbor. The 2008 EPF LWRP project will include review of existing data, analysis of channels in Orleans and Niagara Counties, public outreach, and an analysis of economic impact, dredging technologies and funding mechanisms.

Chairman Kresse called for a vote with a majority finding the project consistent to the Niagara River Greenway Plan.

NRGC Mtg. Minutes 9/18/12-Final

*A tape recording of this meeting has been made and is available for review at the NRGC office located at Beaver Island State Park*

**New Business**

None.

**Public Comment-Open Topics**

**Tom Franks-** Spoke on various subjects.

**Adjournment**

A motion to adjourn the meeting was made by Commissioner Ron Pilozzi and seconded by Commissioner Ray Witzleben. The meeting adjourned unanimously at 3:53 pm.

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Rob Belue, Executive Director  
Niagara River Greenway Commission

NIAGARA COUNTY LEGISLATURE

FROM: Legislator Cheree J. Copelin and DATE: 04/16/13 RESOLUTION # IL-016-13

Parks, Recreation & Tourism Ad Hoc Committee

APPROVED BY CO. ATTORNEY	REVIEWED BY CO. MANAGER	COMMITTEE ACTION <u>Ad hoc - 1/28/13</u>	LEGISLATIVE ACTION Approved: Ayes _____ Abs. _____ Noes <u>0</u> Rejected: Ayes _____ Abs. _____ Noes _____ Referred: _____
			

**SUPPORT FOR THE HASELEY EINHAUS RECONSTRUCTION PROJECT**

WHEREAS, the Niagara Power Coalition ("NPC") and the New York Power Authority agreed to a licensing settlement for the Niagara Power Project, and

WHEREAS, that settlement allows Niagara County to receive, through NPC HCSC, up to \$390,000 annually to fund projects which are found to be consistent with the Niagara Greenway along the Greenway Trail, and

WHEREAS, the Haseley Einhaus Reconstruction Project deals with recreating from original materials one of the original cabins that housed many families during their first winter in 1843, and

WHEREAS, the Haseley Einhaus is an all in one house/barn which early settlers lived in with their livestock, and

WHEREAS, the Historical Society of the North German Settlements in Western New York has determined that it is important to preserve this building and have it reconstructed on its site, and

WHEREAS, the Historical Society of the North German Settlements in Western New York will be assisted in the amount of \$20,000.00 out of their own budget as well as in-kind services, and

WHEREAS, this project meets the guiding principles of the Niagara Greenway Commission, and

WHEREAS, the Niagara River Greenway Commission's guiding principles promote high quality, and

WHEREAS, the proposed Haseley Einhaus project will promote increased access to the County's educational opportunities celebrate the history, heritage and culture of Niagara County, and

WHEREAS, the Niagara River and the Haseley Einhaus project has the support of the Niagara Wheatfield Central School District, the Office of Senator George D. Maziarz, the Town of Wheatfield Supervisor, the Niagara Falls National Heritage Area and Assemblymen John D. Ceretto, and

WHEREAS, the Ad Hoc Committee for Parks, Recreation and Tourism appointed by the Niagara County Legislature to review projects brought to Niagara County seeking funding from Niagara County through the Greenway and the Niagara Power Coalition and the Host Community Standing Committee has received the recommendation and that this recommendation is made to approve and support, and

WHEREAS, the total project is \$120,000.00 to \$130,000.00 and after contributions from other sources of funding including the budget of the Historical Society of the North German Settlements in Western New York, the remaining amount of \$100,000.00 is being requested, now, therefore, be it

RESOLVED, that the Niagara County Legislature does hereby support and sponsor the funding of \$100,000.00 for the Haseley Einhaus Reconstruction Project and Historical Society of the North German Settlements in Western New York and hereby do support that funding when presented to the Niagara Power Coalition and the Host Community Standing Committee.

  
\_\_\_\_\_  
LEGISLATOR CHEREE J. COPELIN

  
\_\_\_\_\_  
PARKS, RECREATION & TOURISM  
AD HOC COMMITTEE

**5.1.2**

**Porter-on-the-Lake  
Improvement**

**Host Communities Standing  
Committee  
Review Form**

Greenway Consultation:	7/20/10 -- Consistent
HCSC Project No:	HCSC-13-005
Funding Request:	\$ 150,000
HCSC Approval:	
Fund Transfer:	

**PROJECT SPONSOR INFORMATION:**

**Name:** Town of Porter

**Mailing Address:** 3265 Creek Road, Youngstown

**State:** NY      **Zip Code:** 14174

**PROJECT TYPE**

**Check all that apply:**     Environmental     Cultural/Heritage     Land or Water Public Access

Cultural             Trail                     Educational/Interpretive

Waterfront or Land Based Development     Signage

Recreational                                     Other

**Project Name:** Porter-on-the-Lake Park Improvement Project

**Location:** Town of Porter

**Site Address:** Lake Road, Youngstown

**State:** NY      **Zip Code:** 14174

**Minor Civil Divison(s):** Town of Porter

**County:** Niagara

**Project Proponent Property Interest (own, lease, easement or other):** **Owned by the Town of Porter;**  
**Parcel of Land situated in the Town of Porter, County of Niagara and State of New York**

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**AUTHORIZED OFFICIAL**

**Name:** Merton K. Wiepert **Title:** Town Supervisor

**Business Address:** 3265 Creek Road, Youngstown

**State:** NY **Zip Code:** 14174

**Telephone Number:** 716-745-3730 **Cell Number:** N/A

**Fax Number:** 716-754-9022

**E-Mail Address:** portersupervisor@roadrunner.com

**PROJECT POINT OF CONTACT**

**Name:** Merton K. Wiepert **Title:** Town Supervisor

**Business Address:** 3265 Creek Road, Youngstown

**State:** NY **Zip Code:** 14174

**Telephone Number:** 716-745-3730 **Cell Number:** N/A

**Fax Number:** 716-754-9022

**E-Mail Address:** portersupervisor@roadrunner.com

*If you have any questions regarding this form, please call 716-278-8760 for assistance.*

**Minutes**  
**The 35<sup>th</sup> Meeting**  
**Of the**  
**Niagara River Greenway Commission**  
**Beaver Island State Park**  
**Grand Island, NY**  
**July 20, 2010 3:00 pm**

The meeting was called to order by Chairman Robert Kresse at 3:15 pm. Secretary Alice Roth was directed to call the roll and a quorum of members was determined to be present.

The following Commissioners or their designated representatives were in attendance:

Robert Kresse, Chairman  
Paul Dyster, Vice-Chairman  
Alice Roth, Commission Secretary  
Ron Pilozzi, Chair Local Government Advisory Committee  
David Hahn-Baker, Chair Citizens Advisory Committee  
Ed McDonald, Commissioner  
Mark Thomas, NYS Office of Parks, Recreation and Historic Preservation  
Russ Bliss, NYS Department of Environmental Conservation  
Ron Hayes, NYS Department of Transportation  
Christina Orsi, Empire State Development  
Rob Daly, NYS Power Authority  
Rob Belue, Executive Director Niagara River Greenway Commission

Absent: John Giardino, Commission Treasurer  
NYS-Department of State

There was a proxy vote for the Department of State

**Approval of Minutes**

The minutes of the May 18<sup>th</sup>, 2010 meeting were reviewed. A motion to approve the minutes was made by Commissioner Ron Pilozzi, seconded by Secretary Alice Roth. The meeting minutes were then approved unanimously as submitted.

**Comments from the Chairman**

Chairman Robert Kresse stated that he will be abstaining from the voting today.

**Public Comment- Current Agenda**

**Margaret Wooster** spoke on behalf of the Riverkeeper. They only agreed with the projects from the Town of Porter and Artpark. She also spoke about the Greenway funds being easy money.

**Rose-Mary Warren** spoke about her opposition about the Town of Lewiston dog park, and she questioned the need for the Greenway Commission.

### **Committee Reports**

#### **Financial Report 1<sup>st</sup> Quarter 2010-2011 Budget**

On behalf of John Giardino, Executive Director Rob Belue reported that there was an expense for a replacement computer and printer for the Greenway Executive Director. There will also be a future cost for some trail map brochures that will be put together soon. So far the Greenway has spent under \$24,000 and has a balance of \$276,609.39.

#### **Paddles Up Niagara 2010 Update**

An update was given by Commissioner Emeritus Paul Leuchner. The 5<sup>th</sup> Paddles Up Niagara will be held on July 24<sup>th</sup>. There is a poker run this year as well as a fair and a freestyle canoeer giving a demonstration. The Marine Division of Parks thru the National Association of Boating Law Administration will be donating 50 life vests to be given away as part of the raffle or for prizes. The weather should be good for the event and there are 123 pre-registered participants. 200 to 250 boats are possible to show up. Commissioner Mark Thomas thanked Paul Leuchner for all his work with Paddles Up.

### **Old Business**

**Project Consistency Review:** Chairman Kresse asked the Executive Director to take over this part of the meeting. The Executive Director explained the procedures that would be followed for project review. First, he will provide a brief overview of each proposal and then invite the project sponsors to make a brief presentation. Following the presentation, Commission members will be able to ask questions. The process will conclude with a vote on consistency to the Niagara River Greenway Plan.

#### **Town of Lewiston- Plateau Dog Park & Nature Preserve- Tabled at meeting of May 18<sup>th</sup>, 2010**

The project presentation was made by Bernie Rotella and Steve Reiter. Commissioner Paul Dyster asked why they were back in front of the Greenway Commission if their project has already been funded. They said they wanted consistency. Commissioner David Hahn-Baker asked what impact this project has on the bird habitat in the area. They said they would put up fencing to protect the birds from being involved. Commissioner Alice Roth asked how much money was going towards fencing, and about \$1000 was allotted. Commissioner Ron Pillozzi asked who funded the project. It was funded by the host community of Lewiston. Chairman Kresse called for a vote and the majority of the members found this project is consistent with the Niagara River Greenway Plan.

**Artpark & Company/Town of Lewiston- Artpark's Summer Programs Support**

The presenters for this project were Bernie Rotella, George Osborne and Steve Reiter. Commissioner Paul Dyster asked if they are using the money because of shortfall. George Osborne said because Albany took some funding away from their budget, they needed to ask for funds elsewhere. Commissioner Paul Dyster also asked what the funding was for. The funding is for Tuesdays in the Park and overall public services. Rob Daly commented that there needs to be a better definition of operations/maintenance funds in their proposal. Commissioner Mark Thomas asked what the differences are to the programs in the park from pre 2007 until now. The answer was there are more people and the budget has doubled. Chairman Kresse called for a vote and the majority of the members found this project is consistent with the Niagara River Greenway Plan.

**Town of Porter- Porter-On-The-Lake Park Improvement**

The project presentation was made by Nathan Taylor and Bob Reese. Executive Director Rob Belue read a statement from the Department of State. There were no further comments or questions from the Commission. Chairman Kresse called for a vote and the majority of the members found this project is consistent with the Niagara River Greenway Plan.

**Artpark & Company- Artpark Capital Improvement Project**

The project presentation was made by Bernie Rotella and George Osborne. Commissioner Mark Thomas asked what the capacity was at Artpark, and their capacity is around eight thousand. Commissioner Ron Pillozzi asked what will be different from today once this project is done. George Osborne replied that there would now be an overflow area that people can view the concerts from a screen and enjoy the social aspect at the same time. Chairman Kresse call for a vote and the majority of the members found this project is consistent with the Niagara River Greenway Plan.

**NYS Parks- Fort Niagara State Park Electrical Distribution System Upgrades**

The project presentation was made by Dave Szuba. Russ Bliss asked what percent of this proposal is new. Dave said it is all new, but they will reuse the old conduit line for some other things. Commissioner Paul Dyster asked if this was the only source of funding. The Greenway is the primary source but they will ask others, like the Border Patrol, for contributions. Ron Hayes asked where this project was on the priority list. Dave Szuba said it is high on the list because it is the base for many other things that need to be done. Chairman Kresse called for a vote and the majority of the members found this project is consistent with the Niagara River Greenway Plan.

**Riviera Theatre & Organ Preservation Co. - Riviera Theatre Expansion Project**

The project presentation was made by Frank Cannata. Commissioner Mark Thomas asked about the entrance to the theater. Frank Cannata said there is a new separate entrance on the rear of the building and that nothing will be done to the one that is there already.

Commissioner Paul Dyster asked what the total cost is and are there other funding sources. The total cost will be around \$4 million and there will be other funding resources, but he could not say who they were at this time. Russ Bliss asked if this was a phased project and if parking was available. Yes, there is parking and the project hopes to be about three years long. Chairman Kresse called for a vote and the majority of the members found this project is consistent with the Niagara River Greenway Plan.

**City of North Tonawanda- Gratwick Riverside Park Marina Redevelopment**

The project presentation was made by Chuck Bell. The Commission asked what standing committee does this fall under. It is considered Niagara County but there is also funding from the Department of State. The City will maintain ownership of the project. The Commission asked if there was public fishing there. Yes there is and it will continue. Commissioner Alice Roth asked if this was the proper time to be asking for funding. Chuck Bell responded in saying that this request was the next phase and this step made sense. He knows there are still some concerns but there are things that they know for sure they want to do. Commissioner Mark Thomas was concerned because he doesn't really know what the project is. There was some discussion to table the project, but Chuck Bell decided to withdraw the project and will present it at a later date. There was no vote taken. On a side note, Alice Roth noted that Commissioner Pilozzi had to leave.

**New Business**

No new business.

**Public Comment- Open Topics**

**Thomas Frank, Amherst, New York:** Mr. Frank spoke on various subjects.

**Margaret Wooster** spoke again about the voting today.

**Adjournment**

A motion to adjourn the meeting was made by Commissioner Mark Thomas and seconded by Commissioner Alice Roth. The meeting adjourned unanimously at 5:45 pm.

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Alice Roth, Secretary  
Niagara River Greenway Commission

NIAGARA COUNTY LEGISLATURE

FROM: Legislators Cheree J. Copelin, Kathryn L. Lance, Anthony J. Nemi, John Syracuse, Owen T. Steed and Parks Recreation & Tourism Ad hoc Committee DATE: 05/21/13 RESOLUTION# 11-029-13

Table with 4 columns: APPROVED BY, REVIEWED BY, COMMITTEE ACTION, LEGISLATIVE ACTION. Includes handwritten signature and date 5/12/2013.

SUPPORT FOR THE PORTER-ON-THE-LAKE PARK IMPROVEMENT PROJECT

WHEREAS, the Niagara Power Coalition ("NPC") and the New York Power Authority agreed to a licensing settlement for the next 50 years for the Niagara Power Project, and

WHEREAS, that settlement allows Niagara County to receive, through NPC Host Community Standing Committee ("HCSC"), up to \$390,000 annually to fund projects which are found to be consistent with the Niagara Greenway projects along the Greenway Trail, and

WHEREAS, the Town of Porter runs the Porter-on-the-Lake Park and is the only park area in the Town of Porter on the river and was acquired by the Town for development as a park, and

WHEREAS, the Town of Porter will be installing playground equipment, construction of small family-sized pavilions and Niagara River Greenway signage, and

WHEREAS, the Town of Porter wishes to be able to continue the Niagara Greenway vision of parks along the River, and

WHEREAS, Town of Porter wishes to bring this park, its pavilions and playground equipment within the Greenway, using the template and signage approved through Niagara County Public Works Department, which will invite visitors along their journey along the River and also to attract tourism, a resting spot and also for the residents of the Town of Porter, but it would also be a testimony to the culture and history of the area, and

WHEREAS, the Town of Porter Park Improvement project meets the guiding principles of the Niagara River Greenway Commission, and

WHEREAS, the Niagara River Greenway Commission's guiding principles promote high quality, ecologically sensitive and sustainable activities and development, and

WHEREAS, the proposed Town of Porter project will promote increased access to the County's area of the Niagara River and will be open to all of the citizens of Niagara County, its tourists and visitors, and

WHEREAS, the Town of Porter project has the support and approval of Legislator Clyde L. Burmaster, and

WHEREAS, the ad hoc committee for recreation and tourism fund appointed by the Niagara County Legislature to review projects brought to Niagara County seeking funding from Niagara County through the Niagara Power Coalition and the Host Community Standing Committee; has recommended that Niagara County approve and support this project, and

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WHEREAS, after the Town of Porter has found funding grants from other resources for the Porter-on-the-Lake Park Improvement Project and has utilized great effort to receive additional funding and support, whereby they are requesting the sum of \$150,000.00 for the total project, and

WHEREAS, after receipt of other funding or in-kind services for the project to be performed by the Town of Porter, the remaining \$150,000.00 of funds is being requested, now, therefore, be it

RESOLVED, that the Niagara County Legislature does hereby support and sponsor the funding of \$150,000.00 for the Porter-on-the-Lake Park Improvement project when presented to the Niagara Power Coalition and the Host Community Standing Committee.

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LEGISLATOR CHEREÉ J. COPELIN

---

LEGISLATOR KATHRYN L. LANCE

---

LEGISLATOR ANTHONY J. NEMI

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LEGISLATOR JOHN SYRACUSE

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LEGISLATOR OWEN T. STEED

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PARKS, RECREATION & TOURISM  
AD HOC COMMITTEE

# **5.1.3**

## **Niagara 1812 Bicentennial Commemoration**

**Host Communities Standing  
Committee  
Review Form**

Greenway Consultation:	1/17/12 -- Consistent
HCSC Project No:	HCSC-13-006
Funding Request:	\$ 43,000
HCSC Approval:	
Fund Transfer:	

**PROJECT SPONSOR INFORMATION:**

**Name:** Niagara 1812 Bicentennial Legacy Council

**Mailing Address:** Magavern, Magavern Grimm LLP, 1100 Rand Bldg, 14 Lafayette Sq, Buffalo

**State:** NY      **Zip Code:** 14203

**PROJECT TYPE**

**Check all that apply:**     Environmental     Cultural/Heritage     Land or Water Public Access

Cultural                     Trail                                     Educational/Interpretive

Waterfront or Land Based Development                     Signage

Recreational                                     Other (Publication)

**Project Name:** Niagara 1812 Bicentennial Commemoration

**Location:** Events of the 1812 Bicentennial Commemoration will take place at various locations over the next three years

**Site Address:** Youngstown; Buffalo, Niagara University, Lancaster, Lewiston

**State:** NY      **Zip Code:** \_\_\_\_\_

**Minor Civil Divison(s):** \_\_\_\_\_

**County:** Erie & Niagara

**Project Proponent Property Interest (own, lease, easement or other):**

No property interests, except to support 1812 programs and activities taking place over the next three (3)

Years at the individual sites.

**AUTHORIZED OFFICIAL**

**Name:** Brian E. Merrett **Title:** CEO, 1812 Bicentennial Legacy Council

**Business Address:** 3647 Checkered Tavern, Lockport

**State:** NY **Zip Code:** 14094

**Telephone Number:** 716-772-7570 **Cell Number:** 289-407-5991

**Fax Number:** 716-852-0131

**E-Mail Address:** Merrett1812@gmail.com

**PROJECT POINT OF CONTACT**

**Name:** Kathryn E. Vedder **Title:** WNY Regional Liaison  
Niagara 1812 Bicentennial Legacy Council

**Business Address:** c/o Thomas Schofield – Magavern Magavern Grimm LLP  
1100 Rand Building, 14 Lafayette Square, Buffalo

**State:** NY **Zip Code:** 14203

**Telephone Number:** 716-218-2960 **Cell Number:** 716-745-3391

**Fax Number:** 716-852-0131

**E-Mail Address:** Vedder1812@gmail.com

*If you have any questions regarding this form, please call 716-278-8760 for assistance.*

**Minutes**  
**The 44<sup>th</sup> Meeting**  
**Of the**  
**Niagara River Greenway Commission**  
**Beaver Island State Park**  
**Grand Island, NY**  
**January 17<sup>th</sup>, 2012 3:00 pm**

The meeting was called to order by Chairman Robert Kresse at 3:10 pm. Secretary Alice Roth was directed to call the roll and a quorum of members was determined to be present.

The following Commissioners or their designated representatives were in attendance:

Robert Kresse, Chairman  
Sean Edwards, Treasurer  
Alice Roth, Secretary  
Ron Pilozzi, Chair Local Government Advisory Committee  
David Hahn-Baker, Chair Citizens Advisory Committee  
Ed McDonald, Commissioner  
Pete McMahon, Commissioner  
Tim DePriest, NYS Department of Environmental Conservation  
Ron Hayes, NYS Department of Transportation  
Raymond Witzleben, Empire State Development  
Rob Daly, New York State Power Authority  
Rob Belue, Executive Director Niagara River Greenway Commission

Absent: Paul Dyster, Vice Chairman  
NYS Department of State  
NYSOPRHP

There was a proxy vote for none

**Approval of Minutes**

The minutes of the November 15<sup>th</sup>, 2011 meeting were reviewed. There was a correction noted from the last meeting to state that NYPA representative Rob Daly was in attendance for this meeting and was left off the roll call by mistake. A motion to approve the minutes was made by Commissioner David Hahn-Baker, seconded by Commissioner Ron Pilozzi. The meeting minutes were then approved unanimously as submitted.

**Comments from the Chairman**

Chairman Kresse wished everyone a happy new year. He also stated that there is a great deal of business for the Niagara River Greenway Commission to do this year.

### **Public Comment- Current Agenda**

**Rose-Mary Warren** - Spoke against the Joseph Davis State Park project.

**Paul Jackson**- Representing the Niagara River Anglers Association spoke in support of the Joseph Davis State Park project.

**Art Klein**- Representing NREC commented on the projects proposed during this cycle.

**Tom Frank**- Spoke in support of the 1812 Bicentennial project.

### **Committee Reports**

#### **Financial Report**

Commission Treasurer Sean Edwards provided the financial report through the month of December. The total expenses were \$44,739.71. The fund balance is \$308,483.10 as of December 31<sup>st</sup>. A motion to approve the report was made by Commissioner David Hahn-Baker and seconded by Commissioner Ed McDonald.

#### **Citizens Advisory Committee**

David Hahn-Baker reported that the CAC meeting held at the end of November had a better turnout than he anticipated. There were positives and negatives of the meeting. Commissioner Hahn-Baker feels the Niagara River Greenway needs to be evangelical in its outreach to the public and that the Commission needs to look at the big picture for the future.

### **Old Business**

#### **Project Consistency Review**

Chairman Kresse asked the Executive Director to take over this part of the meeting. The Executive Director explained the procedures that would be followed for project review. First, a brief overview of each proposal followed by project sponsors making a brief presentation. Following the presentation, Commission members will be able to ask questions. The process will conclude with a vote on consistency to the Niagara River Greenway Plan.

#### **Niagara County Community College- Niagara Community Trail**

The project presentation was made by Megan Stadler. The questions asked by the Commission were:

- Where is this project in proximity to the Niagara Wine Trail?
- Where is the connection to North Tonawanda and the river?
- Is there a plan for maintenance in the winter months?
- Does the trail connect to any other trails or provide access to any buildings?

Chairman Kresse called for a vote with the majority finding the project not consistent to the Niagara River Greenway Plan.

**Town of Wilson- Town of Wilson Walkway & Bicycle Trail**

The project presentation was made by Joe Jastrzemski. The questions asked by the Commission were:

- How wide is the walkway?
- What is the distance of the walkway in total?
- Will this improve accessibility and safety?
- Any consistent design with signage?
- Has this been brought to the standing committee?

Chairman Kresse called for a vote with a majority finding the project consistent to the Niagara River Greenway Plan.

**Buffalo Urban Development Corp- RiverBend Master Plan & Green Infrastructure Plan**

The project presentation was made by David Stebbins and Jennifer Zielinski. The questions asked by the Commission were:

- Are there any other examples where urban development has taken place?
- How much money are you asking for?
- What is the containment area on the map?
- What is the time line for residential use?

Chairman Kresse called for a vote with a majority finding the project consistent to the Niagara River Greenway Plan.

**Buffalo Niagara Riverkeeper- Niagara River Riparian Restoration Program**

The project presentation was made by Larry Brooks and Carry Li. The questions asked by the Commission were:

- Is there any hope of controlling the invasive species?

Chairman Kresse called for a vote with a majority finding the project consistent to the Niagara River Greenway Plan.

**Town of Lewiston- Joseph Davis State Park Phase 1 Capital Improvement Project**

The project presentation was made by Steve Reiter. The questions asked by the Commission were:

- Does NYS still own this park?
- What access to the water will be disturbed?
- What will public participation include?
- Is the State at all interested in the park?
- Will the Fort Niagara launch have any effect on this launch?
- Where do you start and where does the money come from?

- Comment, any riverbank work needs to be taken with caution, work with DEC for this

Chairman Kresse called for a vote with a majority finding the project consistent to the Niagara River Greenway Plan.

### **Niagara 1812 Bicentennial Legacy Council- Niagara 1812 Bicentennial Commemoration**

The project presentation was made by Brian Merrett. The questions asked by the Commission were:

- What is the three year span for?
- Is there a permanent exhibit?
- You should explore all fund raising and revenue producing opportunities.

Chairman Kresse called for a vote with a majority finding the project consistent to the Niagara River Greenway Plan.

### **Buffalo Olmsted Parks Conservancy- Front Park Gateway**

The project presentation was made by Brian Dold. There were no questions asked by the Commission.

Chairman Kresse called for a vote with a majority finding the project consistent with the Niagara River Greenway Plan.

### **New Business**

-Executive Director Rob Belue would like to reach out to all Commissioners to write lead-in articles for the newsletter.

-The May 15<sup>th</sup> filing date for the Joint Commission on Public Ethics Financial Disclosure notification should be in April from the JCOPE

-Sean Edwards raised a question about funding vs. consistency.

### **Public Comment-Open Topics**

**Tom Frank-** Spoke on various subjects.

### **Adjournment**

A motion to adjourn the meeting was made by Secretary Alice Roth and seconded by Treasurer Sean Edwards. The meeting adjourned unanimously at 5:10 pm.

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Alice Roth, Secretary  
Niagara River Greenway Commission

NIAGARA COUNTY LEGISLATURE

FROM: Legislators Cheree J. Copelin, Kathryn L. Lance, Anthony J. Nemi, John Syracuse, Owen T. Steed and Parks, Recreation & Tourism Ad hoc Committee DATE: 05/21/13 RESOLUTION # IL-027-13

APPROVED BY CO. ATTORNEY [Signature] 5/16/2013 REVIEWED BY CO. MANAGER COMMITTEE ACTION Ad hoc - 04/22/13 LEGISLATIVE ACTION Approved: Ayes \_\_\_ Abs. \_\_\_ Noes \_\_\_ Rejected: Ayes \_\_\_ Abs. \_\_\_ Noes \_\_\_ Referred: \_\_\_

SUPPORT FOR THE NIAGARA 1812 BICENTENNIAL COMMEMORATION PROJECT

WHEREAS, the Niagara Power Coalition ("NPC") and the New York Power Authority agreed to a licensing settlement for the next 50 years for the Niagara Power Project, and

WHEREAS, that settlement allows Niagara County to receive, through NPC Host Community Standing Committee ("HCSC"), up to \$390,000 annually to fund projects which are found to be consistent with the Niagara Greenway projects along the Greenway Trail, and

WHEREAS, the Niagara 1812 Bicentennial Legacy Council runs the Niagara 1812 Bicentennial Commemoration and has made application to the Niagara County's Ad Hoc Committee on Recreation and Tourism for Greenway funds for the Niagara 1812 Bicentennial Commemoration activities at Fort Niagara, and

WHEREAS, the Niagara 1812 Bicentennial Legacy Council is a cross-border non-profit organization that is used to increase public awareness and participation in the bicentennial throughout 2012 to 2014 marking the 200th anniversary of the three-year war of 1812, and

WHEREAS, the Niagara 1812 Bicentennial Legacy Council has scheduled several events at Fort Niagara, in Niagara County, and is requesting assistance for those specific functions that revolve around Fort Niagara, and

WHEREAS, the Niagara 1812 Bicentennial Legacy Council not only will invite and attract tourism, but it will also be a testimony of the culture and history of the area, and

WHEREAS, the Niagara 1812 Bicentennial Commemoration project meets the guiding principles of the Niagara Greenway, and

WHEREAS, the Niagara River Greenway Commission's guiding principles promote high quality sustainable activities and development, and

WHEREAS, the proposed project will promote increased attendance and access to the County's history and culture, and

WHEREAS, the project has the support and approval of the Niagara River Greenway Commission on January 18, 2012, and

WHEREAS, the ad hoc committee for recreation and tourism fund appointed by the Niagara County Legislature to review projects brought to Niagara County seeking funding from Niagara County through the Niagara Power Coalition and the Host Community Standing Committee; has recommended that Niagara County approve and support this project, and

WHEREAS, after receipt of grants and other funding for the project and in-kind services to be performed by the Council, they are requesting \$43,000.00, subject to auditing and confirmation that all funds are utilized at the immediate area of Fort Niagara, now, therefore, be it

RESOLVED, that the Niagara County Legislature does hereby support and sponsor the funding of \$43,000.00 for the Niagara 1812 Bicentennial project when presented to the Niagara Power Coalition and the Host Community Standing Committee.

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LEGISLATOR CHEREÉ J. COPELIN

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LEGISLATOR KATHRYN L. LANCE

---

LEGISLATOR ANTHONY J. NEMI

---

LEGISLATOR JOHN SYRACUSE

---

LEGISLATOR OWEN T. STEED

---

PARKS, RECREATION & TOURISM  
AD HOC COMMITTEE

## **5.1.4**

# **Town of Wilson Harbor Revitalization**

**Host Communities Standing  
Committee  
Review Form**

Greenway Consultation:	9/18/12 -- Consistent
HCSC Project No:	HCSC-13-007
Funding Request:	\$ 70,000
HCSC Approval:	
Fund Transfer:	

**PROJECT SPONSOR INFORMATION:**

Name: Supervisor Joseph A. Jastrzemski

Mailing Address: 375 Lake Street, PO Box 537, Wilson

State: NY Zip Code: 14172

**PROJECT TYPE**

Check all that apply:  Environmental  Cultural/Heritage  Land or Water Public Access  
 Cultural  Trail  Educational/Interpretive  
 Waterfront or Land Based Development  Signage  
 Recreational  Other

Project Name: Town of Wilson Harbor Revitalization Project

Location: Town of Wilson

Site Address: Wilson Harbor

State: NY Zip Code: 14172

Minor Civil Divison(s): Town of Wilson

County: Niagara

Project Proponent Property Interest (own, lease, easement or other):

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**AUTHORIZED OFFICIAL**

**Name:** Supervisor Joseph A. Jastrzemski **Title:** Town Supervisor

**Business Address:** 375 Lake Street, PO Box 537, Wilson

**State:** NY **Zip Code:** 14172

**Telephone Number:** 716-751-6704 **Cell Number:** 716-949-9113

**Fax Number:** 716-751-6706

**E-Mail Address:** [supervisor@wilsonnewyork.com](mailto:supervisor@wilsonnewyork.com)

**PROJECT POINT OF CONTACT**

**Name:** Supervisor Joseph A. Jastrzemski **Title:** Town Supervisor

**Business Address:** 375 Lake Street, PO Box 537, Wilson

**State:** NY **Zip Code:** 14172

**Telephone Number:** 716-751-6704 **Cell Number:** 716-949-9113

**Fax Number:** 716-751-6706

**E-Mail Address:** [supervisor@wilsonnewyork.com](mailto:supervisor@wilsonnewyork.com)

*If you have any questions regarding this form, please call 716-278-8760 for assistance.*

**Minutes**  
**The 48<sup>th</sup> Meeting**  
**Of the**  
**Niagara River Greenway Commission**  
**Beaver Island State Park**  
**Grand Island, NY**  
**September 18, 2012 3:00 pm**

The meeting was called to order by Chairman Robert Kresse at 3:04 pm. Amy Kinsky was directed to call the roll and a quorum of members was determined to be present.

The following Commissioners or their designated representatives were in attendance:

Robert Kresse, Chairman  
Ron Pilozzi, Chair Local Government Advisory Committee  
Ed McDonald, Commissioner  
Angela Berti for Mark Thomas, NYS OPRHP  
Tim DePriest, NYS Department of Environmental Conservation  
Raymond Witzleben, Empire State Development  
Rob Daly, New York State Power Authority  
Rob Belue, Executive Director Niagara River Greenway Commission

Absent: Paul Dyster, Vice Chairman, Sean Edwards, Treasurer, David Hahn-Baker, Chair Citizens Advisory Committee

There was a proxy vote for: Renee Parsons-DOS, Sean Edwards, and Ron Hayes-DOT

**Approval of Minutes**

The minutes of the July 17, 2012 meeting were reviewed. A motion to approve the minutes was made by Commissioner Ed McDonald, seconded by Commissioner Ron Pilozzi. The meeting minutes were then approved unanimously as submitted.

**Comments from the Chairman**

None

**Public Comment- Current Agenda**

No speakers

**Committee Reports**

**Financial Report**

Chairman Kresse postponed the report until the next meeting. A motion to approve the decision was made by Commissioner Ed McDonald and seconded by Commissioner Ron Pilozzi.

### **Paddles Up Niagara 2012 Wrap-Up**

Executive Director Rob Belue gave a brief wrap-up of the event. There were 160 pre-registered and a total of 235 participants despite the rain that fell south of Grand Island on that day. The expenses for the event came in at \$3700 with total cash and in-kind revenues totaling \$11,650. The event was a success.

### **Old Business**

#### **Project Consistency Review**

Chairman Kresse asked the Executive Director to take over this part of the meeting. The Executive Director explained the procedures that would be followed for project review. A 5-7 minute overview of the project followed by Commission members asking questions they may have on the project. The process will conclude with a vote on consistency to the Niagara River Greenway Plan.

#### **Historical Society of North German Settlements in WNY- The Haseley Einhaus Reconstruction**

The presenters; John Schultz and Wilma Lass.

The questions asked by the Commission were:

- How far is this project from the rivers edge?

Chairman Kresse called for a vote which resulted in a tie. A tie vote equals a no decision and the vote is lost.

#### **Town of Wilson- Wilson Harbor Revitalization**

The presenters; Joe Jastrzemski, David Godfrey, Lisa Stephens, and Tom Burgasser

The questions asked by the Commission were:

- What is the cost of the project?
- Is the Army Corps responsible for the work at the marinas?
- Are there other funding resources?
- Why has it been so long since this has been done?
- Is there a plan for the future?
- Is this part of the Greenway plan?
- Is this a maintenance project?

A letter from the DOS was read by Executive Director Rob Belue.

Are you aware that potential funding provided under the Environmental Protection Fund Local Waterfront Revitalization Program (EPF LWRP/2008), and an update to the *Regional Dredging Plan for Lake Ontario* is currently being prepared by Orleans County, in partnership with the Counties of Niagara, Oswego, Monroe, and Wayne, and the Town of Greece and City of Oswego. The updated plan will include Orleans and Niagara Counties – and Wilson Harbor. The 2008 EPF LWRP project will include review of existing data, analysis of channels in Orleans and Niagara Counties, public outreach, and an analysis of economic impact, dredging technologies and funding mechanisms.

Chairman Kresse called for a vote with a majority finding the project consistent to the Niagara River Greenway Plan.

NRGC Mtg. Minutes 9/18/12-Final

*A tape recording of this meeting has been made and is available for review at the NRGCC office located at Beaver Island State Park*

**New Business**

None.

**Public Comment-Open Topics**

**Tom Franks-** Spoke on various subjects.

**Adjournment**

A motion to adjourn the meeting was made by Commissioner Ron Pilozzi and seconded by Commissioner Ray Witzleben. The meeting adjourned unanimously at 3:53 pm.

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Rob Belue, Executive Director  
Niagara River Greenway Commission

NIAGARA COUNTY LEGISLATURE

FROM: Legislators Cheree J. Copelin, Kathryn L. Lance, Anthony J. Nemi, John Syracuse, Owen T. Steed and Parks, Recreation & Tourism Ad hoc Committee DATE: 05/21/13 RESOLUTION # IL-028-13

APPROVED BY CO. ATTORNEY [Signature] REVIEWED BY CO. MANAGER [Signature] COMMITTEE ACTION Ad hoc - 04/22/13 LEGISLATIVE ACTION Approved: Ayes \_\_\_ Abs. \_\_\_ Noes \_\_\_ Rejected: Ayes \_\_\_ Abs. \_\_\_ Noes \_\_\_ Referred: \_\_\_

SUPPORT FOR THE TOWN OF WILSON HARBOR REVITALIZATION PROJECT

WHEREAS, the Niagara Power Coalition ("NPC") and the New York Power Authority agreed to a licensing settlement for the next 50 years for the Niagara Power Project, and

WHEREAS, that settlement allows Niagara County to receive, through NPC Host Community Standing Committee ("HCSC"), up to \$390,000 annually to fund projects which are found to be consistent with the Niagara Greenway projects along the Greenway Trail, and

WHEREAS, the Town of Wilson has made application to the Niagara County's Ad Hoc Committee on Recreation and Tourism for Greenway funds to support the Town of Wilson Harbor Revitalization project, and

WHEREAS, these funds are to be utilized by the Town of Wilson as matching funds, and

WHEREAS, the Town of Wilson's application for funding for the revitalization of the Wilson Harbor which draws tens of thousands of boaters and fishermen from around the world every year, as well as the residents of the Town of Wilson who enjoy all of its services, and

WHEREAS, this application will assist the local citizens, taxpayers and business people being able to establish a study indicating exactly what type of dredging is necessary outside of the main channels after the main channel dredging is accomplished by the Corps of Engineers, and

WHEREAS, the Town of Wilson and its residents and businesses intend to add on to that main channel dredging once it takes place and in order to do that, they need to have the full study done for those areas in addition to the main channel that are to be dredged in order to determine the resulting disposition of the sediment that is to be dredged out of the Wilson Harbor, and

WHEREAS, currently many boats are having difficulty reaching fuel, maintenance, pump-out facilities and the U.S. Customs point at the far-end of the harbor which impedes tourism, boat traffic and use of the harbor to its full extent, and

WHEREAS, the application is requesting \$70,000.00 to be utilized along with in-kind effort of engineering materials, supplies and administration of \$17,742.00 to be an \$87,500.00 match request for the New York State LWRP for a total project cost of \$175,000.00, and

WHEREAS, the Town of Wilson Harbor Revitalization Project has the support and approval of Legislator David Godfrey, Senator George Maziarz and Assemblywoman Jane L. Corwin along with various business concerns in the Town of Wilson, and

WHEREAS, the ad hoc committee for recreation and tourism fund appointed by the Niagara County Legislature to review projects brought to Niagara County seeking funding from Niagara County through the Niagara Power Coalition and the Host Community Standing Committee; has recommended that Niagara County approve and support this project, and

WHEREAS, the Town of Wilson has utilized great effort and is complimented for being able to receive the \$87,500.00 New York State LWRP 50% match request, and

WHEREAS, after receipt of in-kind services and the matching grant, the remaining \$70,000.00 needed for the matching grant is being requested, now, therefore, be it

RESOLVED, that the Niagara County Legislature does hereby support and sponsor the funding of \$70,000.00 for the Town of Wilson Harbor Revitalization Project when presented to the Niagara Power Coalition and the Host Community Standing Committee.

\_\_\_\_\_  
LEGISLATOR CHEREÉ J. COPELIN

\_\_\_\_\_  
LEGISLATOR KATHRYN L. LANCE

\_\_\_\_\_  
LEGISLATOR ANTHONY J. NEMI

\_\_\_\_\_  
LEGISLATOR JOHN SYRACUSE

\_\_\_\_\_  
LEGISLATOR OWEN T. STEED

\_\_\_\_\_  
PARKS, RECREATION & TOURISM  
AD HOC COMMITTEE

# **5.2.1**

## **Lewiston Civic Center**

**Host Communities Standing  
Committee  
Review Form**

Greenway Approval:	
HCSC Project No:	HCSC-13-002
Funding Request:	\$ 9,200,000 (\$430,000/30 yrs)
HCSC Approval:	
Fund Transfer:	

**PROJECT SPONSOR INFORMATION:**

**Name:** Town of Lewiston

**Mailing Address:** 1375 Ridge Road, Lewiston,

**State:** NY      **Zip Code:** 14092

**PROJECT TYPE**

**Check all that apply:**

<input checked="" type="checkbox"/> Environmental	<input type="checkbox"/> Cultural/Heritage	<input type="checkbox"/> Land or Water Public Access
<input type="checkbox"/> Cultural	<input type="checkbox"/> Trail	<input checked="" type="checkbox"/> Educational/Interpretive
<input checked="" type="checkbox"/> Waterfront or Land Based Development	<input checked="" type="checkbox"/> Signage	
<input checked="" type="checkbox"/> Recreational	<input type="checkbox"/> Other	

**Project Name:** Lewiston Civic Center Project

**Location:** Town of Lewiston

**Site Address:** Lower Niagara River Road, Route 18

**State:** NY      **Zip Code:** 14092

**Minor Civil Divison(s):** Town of Lewiston

**County:** Niagara

**Project Proponent Property Interest (own, lease, easement or other):** The Town of Lewiston is purchasing the property from the Lewiston-Porter School District

Town of Lewiston

RESOLUTION #5 - 2013

For the Lewiston Civic Center

I, Carol Brandon, acting Town Clerk of The Town of Lewiston located at 1375 Ridge Road  
Lewiston, New York 14092, do hereby certify that the following resolution  
was adopted at a regular meeting of the Town of Lewiston held on March 11th, 2013, and is  
incorporated in the original minutes of said meeting and that said resolution has not been altered,  
amended or revoked and is in full force and effect.

Resolved:

That the Town of Lewiston will submit to the Niagara River Greenway Commission a proposal  
for recommendation of the Town of Lewiston's Civic Center grant funding request.

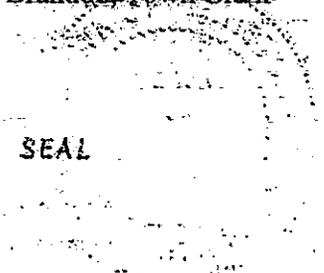
UPON ROLL CALL VOTE:

Supervisor Reiter - yes  
Councilman Bax - yes  
Councilman Marra - yes  
Councilman Palmer - yes  
Councilman Winkley - yes

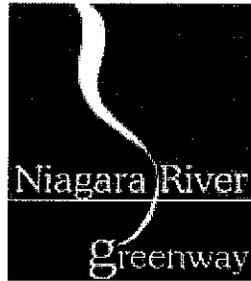
Motion Carried



Carol Brandon, Town Clerk



SEAL



May 23, 2013

Steve Reiter, Supervisor  
Town of Lewiston  
1375 Ridge Road  
Lewiston, New York 14092

Dear Supervisor Reiter:

The Niagara River Greenway Commission in a vote at the regularly scheduled meeting on Tuesday, May 21, 2013 determined that the project submitted by the Town of Lewiston titled "Lewiston Civic Center" to be not consistent to the Niagara River Greenway Plan as determined by the members of the Commission.

This project was deemed not consistent to the Niagara River Greenway Plan based on the principals, goals and criteria that define the Niagara River Greenway Plan. I have attached the Commission's comments and questions as well as public comments received on the projects submitted during the deliberation timeframe for your use.

Respectfully,

*Rob Belue*

R.A. Belue  
Executive Director

Cc:  
Host Community Standing Committee

# **5.3.1**

## **Lewiston-Porter Recreational Complex Phase II**

**Host Communities Standing  
Committee  
Review Form**

Greenway Approval:	
HCSC Project No:	HCSC-08-002A
Funding Request:	\$6.3 million
HCSC Approval:	\$420,000/yr for 15 years
Fund Transfer:	

**PROJECT SPONSOR INFORMATION:**

**Name:** Lewiston-Porter Central School District

**Mailing Address:** 4061 Creek Road, Youngstown

**State:** NY      **Zip Code:** 14174

**PROJECT TYPE**

**Check all that apply:**     Environmental     Cultural/Heritage     Land or Water Public Access

Cultural                     Trail                     Educational/Interpretive

Waterfront or Land Based Development     Signage

Recreational                     Other

**Project Name:** Lewiston-Porter Recreational Complex – Phase II

**Location:** Lewiston-Porter High School

**Site Address:** 4061 Creek Road, Youngstown

**State:** NY      **Zip Code:** 14174

**Minor Civil Divison(s):** \_\_\_\_\_

**County:** Niagara

**Project Proponent Property Interest (own, lease, easement or other):** **Entirely owned by Lewiston-Porter Central School District**

**AUTHORIZED OFFICIAL**

**Name:** Mr. Chris Roser **Title:** Superintendent

**Business Address:** 4061 Creek Road, Youngstown

**State:** New York **Zip Code:** 14174

**Telephone Number:** 716-286-7266 **Cell Number:** \_\_\_\_\_

**Fax Number:** 716-286-7877

**E-Mail Address:** roserc@lew-port.com

**PROJECT POINT OF CONTACT**

**Name:** Don Rappold **Title:** Assistant Superintendent

**Business Address:** 4061 Creek Road, Youngstown

**State:** New York **Zip Code:** 14174

**Telephone Number:** 716-754-8281 **Cell Number:** \_\_\_\_\_

**Fax Number:** 716-286-7877

**E-Mail Address:** rappoldd@lew-port.com

*If you have any questions regarding this form, please call 716-278-8760 for assistance.*



May 23, 2013

Chris Roser, Superintendent of Schools  
Lewiston-Porter Central School District  
4061 Creek Road  
Youngstown, New York 14174

Dear Superintendent Roser:

The Niagara River Greenway Commission in a vote at the regularly scheduled meeting on Tuesday, May 21, 2013 determined that the project submitted by the Lewiston-Porter Central School District titled "Lewiston-Porter Recreational Complex Phase II" to be not consistent to the Niagara River Greenway Plan as determined by the members of the Commission.

This project was deemed not consistent to the Niagara River Greenway Plan based on the principals, goals and criteria that define the Niagara River Greenway Plan. I have attached the Commission's comments and questions as well as public comments received on the projects submitted during the deliberation timeframe for your use.

Respectfully,

*Rob Belue*

R.A. Belue  
Executive Director

Cc:  
Don Rappold, Assistant Superintendent  
Host Community Standing Committee

# **6.1**

## **NRGC Minutes of May 21, 2013 Meeting**

**MEMORANDUM**

**TO:** Samuel M. Ferraro, Commissioner, Niagara County Economic Development

**FROM:** Benjamin J. Bidell, AICP, Senior Planner, Niagara County Economic Development

**DATE:** May 23, 2013

**RE:** **Niagara River Greenway Commission meeting held May 21, 2013**

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The Niagara River Greenway Commission (NRGC) met at 3:00 pm in the Beaver Island State Park Clubhouse. The following Commission members were in attendance: Vice Chairman Paul Dyster, conducting the meeting; Treasurer Sean Edwards; Local Government Advisory Committee Chairman Ron Pilozzi; Commissioner Ed McDonald; Angela Berti representing NYS Office of Parks, Recreation, and Historic Preservation; Rob Daly representing New York Power Authority; Tim DePriest representing NYS Department of Environmental Conservation; Ron Hayes representing NYS Department of Transportation; Ray Witzleben representing Empire State Development; and NRGC Executive Director Rob Belue. Chairman Bob Kresse, Secretary Alice Roth, and Citizens Advisory Committee Chairman David Hahn-Baker were either absent or excused. NYS Dept. of State was represented by proxy via Mr. Belue. There were approximately 25 individuals attending including project sponsors and members of the public. An agenda was provided for the meeting and is attached.

At the beginning of the meeting, a public comment period was held to hear remarks on current agenda items including projects being reviewed for consistency with the Niagara River Greenway Plan. Rosemary Warren commented that the Lewiston Civic Center project reallocates funding already approved for Joseph Davis State Park, which will diminish the park's potential as a Greenway asset. She also said the project is not consistent with the principles of the Greenway Plan. Paulette Glasgow commented on the Lewiston Civic Center project, saying that the project is not centrally located as claimed; the budget is incomplete and misleading; and the project does not advance the vision for the Greenway. A representative from the Niagara Relicensing Environmental Coalition commented that the Lewiston Civic Center project and Lewiston-Porter School District's improvements are not consistent with the Greenway Plan, but the Emerald Shiner Conservation and Restoration Study is consistent. He also said the ability of the Standing Committees to fund projects determined "not consistent" with the Greenway Plan by the Greenway Commission is not a fair system. Jeff Williams, a former government affairs representative who was involved in the NYPA relicensing hearings and the development of the Greenway Plan said the plan was created to be flexible, allowing municipalities to advance their own priorities within a broader framework. He said the Lewiston Civic Center is needed in the community and is an appropriate use of Greenway funding.

Next, Mr. Edwards gave a Financial Report. He said year-to-date expenses are approximately \$38,000 and the Commission is approximately \$43,000 under budget. He also said the Greenway Commission maintains a fund balance of nearly \$328,000.

Next, Mr. Belue gave a report on the Citizens Advisory Committee (CAC) in the absence of Mr. Hahn-Baker. He said a CAC meeting was held on Wednesday, March 27th at the Niagara Falls Culinary Institute. The meeting involved an overview of accomplishments to date (including completed and ongoing projects, Greenway funds spent, and total investment leveraged) as well as a presentation by Sam Magavern on the report he and his UB law students prepared for the "Partnership for the Public Good" titled, "The Niagara River Greenway – Fulfilling the Promise." Approximately 60 people attended and around 30 people asked questions or provided comments. The minutes of the meeting can be found on the NRG website at [www.niagaragreenway.org/?q=minutes](http://www.niagaragreenway.org/?q=minutes).

Next, Mr. Belue gave an update on next steps relative to the "Magavern Report." He said a meeting of the Local Government Advisory Committee (LGAC) will be scheduled, possibly for early July, which will be similar to the Citizens Advisory Committee meeting. It will involve an overview of Greenway progress, a presentation on the "Magavern Report," and an opportunity to ask questions or provide comments. Once the comments from both the CAC and LGAC meetings have been collected, they will be reviewed by the NRG Executive Committee, which will then consider possible actions. [At the Executive Committee meeting held before the full NRG meeting, Mr. Edwards commented that the report emphasizes implementation of the enabling legislation and questioned whether the plan or the legislation should serve as the standard for project review. Mr. Belue commented that the enabling legislation tasked the Greenway Commission with developing a plan and setting boundaries for the Greenway, so following the plan would be his recommendation.]

Next, Commission members voted on whether projects on the agenda are consistent with the Niagara River Greenway Plan. A summary of each project was read by Mr. Belue and project sponsors were on hand to answer questions from the board. A summary of the discussion can be found below. More information on the projects can be found on the NRG website at [www.niagaragreenway.org](http://www.niagaragreenway.org).

**Research Foundation for SUNY Buffalo State – Emerald Shiner Habitat Conservation and Restoration Study in the Upper Niagara River:** Dr. Alicia Pérez-Fuentetaja, Professor of Biology at Buffalo State College and an associate at the Great Lakes Center, was present to give an overview of the project and answer questions from the board. This project involves a request for \$824,501 in Greenway funds through the Ecological Standing Committee to carry out a three-year study of the lifecycle and habitat of the Emerald Shiner, a small fish species critical to local fish and wildlife ecology. The project will help restore and enhance fish and wildlife resources by analyzing threats to fish migration and the status of key habitats; help restore threatened species and conserve migratory birds, which feed on the fish; and will include a public education component. The project will be undertaken in partnership with NYSDEC, U.S. Army Corps of Engineers, Buffalo Niagara Riverkeeper, and others.

Mr. Pillozzi asked about the total project costs and it was explained that the total cost of the project is approximately \$1.63 million. Buffalo State College and the U.S. Army Corps of Engineers will match the Greenway Funds nearly 1-to-1.

The project was unanimously voted consistent with the Greenway Plan with Mr. Dyster commenting that the study will be beneficial to future projects.

**Town of Lewiston – Lewiston Civic Center:** Bernie Rotella, Grant Writer for the Town of Lewiston, and Steve Reiter, Lewiston Town Supervisor, were present to give an overview of the project and answer questions from the board. This project involves a request to draw down \$430,000 per year over 30 years from the Town of Lewiston's share of Greenway funds through the Host Communities Standing Committee to finance construction of a \$9.2 million Civic Center adjacent to Lewiston-Porter High School. The 139,000 sq. ft. multi-purpose building will house a 90,000 sq. ft. field for indoor football, soccer, field lacrosse, baseball, and softball. This space could also be used for tournaments, conventions, concerts, car shows, trade shows, etc. The building will also house a college-size basketball court, indoor box lacrosse field, a roller hockey area, and walking track as well as indoor

courts and fields designed for youth sports, ages 5-12. The building will have a lobby, retail space, concessions, and locker rooms. In addition, the building will house a new 6,305 sq. ft. senior center. Mr. Reiter said the facility will be placed on land that will be purchased from the Lewiston-Porter School District, so it will not take any property off of the tax rolls. He said a public referendum will be held on July 15th to approve the project, including the sale of bonds to finance it. He also said that funding for the project will come from reallocation of funds formerly earmarked for improvements at Joseph Davis State Park.

Mr. Edwards asked for the total project cost, which Supervisor Reiter explained is approximately \$8 million not including furnishings and roughly \$12.9 million inclusive of interest on the bonds. Mr. Pillozzi asked for further explanation on plans for Joseph Davis State park. Supervisor Reiter said the Town has been negotiating with New York State Parks on plans for Joe Davis as the state owns the park and leases it to the Town. Some of the original plans for the park did not fit within the context of the park, so plans were scaled back. He said the original scope of the project anticipated \$5 million to \$6 million in improvements at Joe Davis. The new scope of the project will likely involve \$1.5 million to \$2 million in improvements. Mr. Daly asked if there are any restrictive covenants on the sale of the property by the Lewiston Porter School District. It was explained that the school district will get prioritized use of the facility and may help fund the furnishing of the building. Also, the school district has the right of first refusal if the town ever wants to sell the property and the property must remain a recreational use.

The project was voted not consistent with the Greenway Plan by majority vote. All Greenway Commission members voted against the project with the exception of Mr. Edwards and Mr. Daly. Mr. Dyster commented that it is not a Greenway project as he sees it. Mr. Edwards commented that the project has recreational benefits and meets all of the principles of the Greenway Plan with the exception of being close to the Niagara River. Mr. Daly pointed out that improvements to the restroom facilities at the Hyde Park Ice Rink in Niagara Falls were voted consistent with the Greenway Plan and said this project is consistent with the Plan, as well.

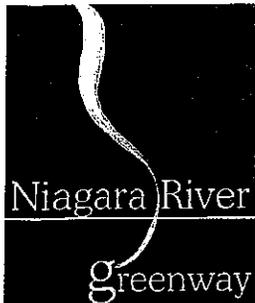
**Lewiston-Porter Central School District – Lewiston-Porter Recreational Complex Phase II:** Bernie Rotella, Grant Writer for the Lewiston-Porter Central School District (Lew-Port) was present to give an overview of the project and answer questions from the board. This project involves a request for \$6.3 million from Lew-Port's share of Greenway funds through the Host Communities Standing Committee. The funds will support a broader \$26 million initiative that will result in significant recreational, cultural, programmatic, and administrative improvements at the Lew-Port High School, Middle School, and Elementary School. Specifically, the \$6.3 million in Greenway funds will be used to improve access to the High School Auditorium, to reconstruct or renovate classrooms for music, arts, and media; and to construct a new High School Pool. The project will be financed through the sale of bonds and paid for using 15 years worth of Lew-Port's annual share of Greenway funds. Mr. Rotella pointed out that the Greenway funds are earmarked for capital projects, which is how the school district intends to use the funding. He also said the improvements will allow the school to hold bigger events, resulting in more visitors to the area.

The project was voted not consistent with the Greenway Plan by majority vote. All Greenway Commission members voted against the project with the exception of Mr. Edwards and Mr. Daly. Mr. Dyster commented that school districts are in a difficult position when it comes to funding projects in accordance with the Greenway Plan and he suggested that a legislative fix is needed. He said it is not fair to put school districts and Greenway Commission members in the awkward position of requesting and being denied or denying project funding. Mr. Edwards commented that school districts are strapped for funding due to cuts in state aid and use of Greenway funds for these types of projects is appropriate. Mr. Daly commented that Lew-Port was heavily involved in the relicensing process that led to establishment of the Greenway funds and said the school district always intended to pursue these types of projects, which fit the goals of the Greenway Plan

Under New Business, Mr. Belue reported that the 8th Annual Paddles Up Niagara event will be held on July 27th at Beaver Island State Park.

At the end of the meeting, an open public comment period was held. Rosemary Warren commented that the Greenway Commission should have sole authority over Greenway funding decisions. She also said the applications should note whether the project will be submitted for public referendum. Paulette Glasgow commented that the Lewiston Civic Center will consume 80% of the Town's future Greenway funds. She also said the Greenway funding process should be amended because allowing members of the Standing Committees to fund their own projects is a conflict of interest. Tom Frank commented on the need for greater connectivity between Greenway amenities, transportation modes, and events. Paul Casseri, Principal of Lewiston-Porter High School, commented that physical improvements to the school and innovative academic programming are expanding the school district's international footprint. He pointed to a study by students on the potential to generate electricity from wastewater as well as a study on pharmaceuticals in water supplies, which are leading to international academic exchanges.

The next Niagara River Greenway Commission meeting is scheduled for Tuesday, July 16, 2013 at 3:00 pm in the Beaver Island State Park Clubhouse. The NRGC Executive Committee will meet at 2:00 pm in the Beaver Island State Park Office.



# Niagara River Greenway Commission

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Beaver Island State Park  
2136 West Oakfield Road  
Grand Island, New York 14072  
[www.niagaragreenway.org](http://www.niagaragreenway.org)

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**For Immediate Release:**  
May 21, 2013

**Contact: Rob Belue**  
(716) 773-5361

## **Niagara River Greenway Commission Determines Consistency**

The Niagara River Greenway Commission is pleased to announce the vote on project consistency as determined by the Commission for the thirty-third round of projects submitted to the Greenway Commission.

Projects were submitted on March 20, 2013 and the votes were taken today during the regularly scheduled meeting of the Commission. The subjective evaluation of projects was based on the principals, goals and criteria that define the Niagara River Greenway Plan. The following project sponsors and respective projects were determined consistent:

- ***Research Foundation for SUNY Buffalo State-Emerald Shiner Habitat Conservation & Restoration Study in the Upper Niagara River***

The following project was determined to be not consistent by the members of the commission.

- ***Town of Lewiston-Lewiston Civic Center***
- ***Lewiston-Porter Central School District-Lewiston-Porter Recreational Complex Phase II***

Now that the Niagara River Greenway Commission has issued a finding of consistency with the Niagara River Greenway Plan, project sponsors are responsible for funding arrangements. Funding requests can be made through conventional grant and endowment sources as well as the various greenway standing committees.

The thirty-fourth round of project determinations will be made on July 16, 2013. Those projects will be on the web-site Tuesday, May 28, 2013. Public comment on those projects will be accepted until June 30, 2013 and may be submitted at the website, [www.niagaragreenway.org](http://www.niagaragreenway.org) or by mail to Niagara River Greenway, 2136 West Oakfield Road, Grand Island, NY 14072. All projects and submission dates for future determinations are also available on the website.

To review the approved Niagara River Greenway Plan and GEIS or to learn more information about the Commission log onto [www.niagaragreenway.org](http://www.niagaragreenway.org). The Niagara River Greenway Commission is a public benefit corporation established by Chapter 460 of the laws of 2004, and charged with the planning and development of a greenway of interconnected parks, river access points and waterfront trails along the Niagara River from Lake Erie to Lake Ontario at the site of the historic Fort Niagara.