

AGENDA

HOST COMMUNITY STANDING COMMITTEE MEETING

Tuesday, August 1, 2017 – 12:00 p.m.

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

Thomas O'Donnell, Chairperson

Lee Wallace, Vice Chairperson

Representative:

_____ Mark Laurrie, - City of NF Schools
_____ Paul Casseri – Lewiston-Porter School
_____ Paul A. Dyster – City of Niagara Falls
_____ Lee Wallace – Town of Niagara
_____ Allison Brady - Niagara Wheatfield School
_____ Wm. Keith McNall – Niagara County
_____ Steve Broderick - Town of Lewiston
_____ Lou Paonessa – New York Power Authority

Alternate:

_____ Angelo Massaro, Esq.
_____ Andrew Krazmien
_____ Thomas O'Donnell, Esq.
_____ Jackie Siegmann
_____ Scott Hapeman, Esq.
_____ Thomas Burgasser, Esq.
_____ Vacant
_____ Carol Sampson

AGENDA

1. **Call to Order – T. O'Donnell**
2. **Roll Call – M. Melloni**
3. **Pledge of Allegiance – T. O'Donnell**
4. **Introductions – T. O'Donnell**
5. **Approval of Meeting Minutes of March 28, 2017 – T. O'Donnell**
6. **Town of Lewiston**
 - 6.1 **Morgan Lewis Bust – B. Rotella**
(Approved for funding in the amount of \$33,850 by Town of Lewiston on 4/10/17;
Determined Consistent by NRG on 7/18/2017)
 - 6.2 **Discover Niagara Shuttle Project – B. Rotella**
(Approved for funding in the amount of \$50,000 by Town of Lewiston on 4/27/17;
Determined Consistent by NRG on 7/18/2017)
7. **Niagara County**
 - 7.1 **West Canal Marina & Park Paddle Sport Launch – Phase II – J. Gaston, Deputy
Commissioner of Buildings & Grounds**
(Determined Consistent by NRG on 7/21/2015; Approved for Phase II funding in the
amount of \$61,500 by Niagara County on 6/20/2017)
 - 7.2 **Carousel Society of the Niagara Frontier Music Room – Rae Proefrock, Director,
Carousel Society of the Niagara Frontier**
(Approved for funding in the amount of \$110,000 by Niagara County on 6/20/17;
Determined Consistent by NRG on 1/17/2017.
 - 7.3 **Lockport Locks Heritage District Corporation Lock Tenders Tribute - Dave Kinyon,
Chairman, Board of Directors, Lockport Locks Heritage District**
(Approved for funding in the amount of \$133,000 by Niagara County on 6/20/17;
Determined Consistent by NRG on 11/15/2016.

**Host Community Standing Committee Agenda
August 1, 2017**

8. Town of Niagara

- 8.1 Town Square at Veterans' Memorial Park - *B. Rotella***
**(Approved for funding in the amount of \$400,000 by Town of Niagara on 4/18/2017;
Determined Consistent by NRGC on 7/18/2017.**

9. Any Other Matters

- 9.1 Election of HCSC Chairperson/Vice Chairperson/Secretary for Fiscal Year July 1, 2017
- June 30, 2018 - *S. Widger***
- 9.2 HCSC 3-Year Audit - Approval of Brown & Company - *S. Widger***
- 9.3 Key Bank Resolution Naming Signatories - *S. Widger***
- 9.4 NRGC Minutes of July 18, 2017 - *Informational Only***

10. Next Meeting: October 3, 2017 - 12:00 p.m.

11. Adjournment

5.1

Minutes of March 28, 2017 HCSC Meeting

HOST COMMUNITIES

STANDING COMMITTEE MEETING MINUTES

Tuesday, March 28, 2017 – 12:30 p.m.

Niagara County Department of Economic Development

6311 Inducon Corporate Drive

Sanborn, New York 14132

Representatives Present:

Mark Laurrie

Paul Casseri, Superintendent

Lou Paonessa

Tom Burgasser, Esq.

Scott Hapeman, Esq.

Lee Wallace, Supervisor, VICE CHAIRPERSON

Steve Broderick, Supervisor

Thomas O'Donnell, Esq., CHAIRPERSON

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:

Patty Brosius, Director, NT Dept of Youth, Recreation, Parks

Michael Zimmerman, Executive Director, LCDC

Jackie Siegmann

Jeanne Leccese, Director

Tom Prohaska

North Tonawanda - Presenter

North Tonawanda

Town of Niagara

Niagara River Greenway Commission

Buffalo News

Staff Present:

Mary Melloni, Recording Secretary

Stan Widger, Esq., NPC Counsel, Nixon Peabody

1.0 Call to Order

Chairperson O'Donnell called the Host Communities Standing Committee meeting to order at 12:35 p.m.

2.0 Roll Call

Ms. Melloni called the roll.

3.0 Pledge of Allegiance

Chairperson O'Donnell led the Pledge of Allegiance.

4.0 Introductions

5.0 Approval of Meeting Minutes of January 31, 2017

Mr. Paonessa made a motion, seconded by Mr. Hapeman, to approve the meeting minutes of January 31, 2017. Motion passed.

6.0 Niagara County

6.1 City of North Tonawanda – Raymond Klimek Veterans Park Bandshell – *M. Zimmerman* (Determined Consistent by NRG on 3/21/2017; Approved for funding in the amount of \$90,000 by Niagara County on 11/15/2016)

Mr. Zimmerman introduced Patty Brosius, Director of the North Tonawanda Department of Youth, Recreation, and Parks. Ms. Brosius explained that the Raymond Klimek Veterans Park in North Tonawanda is a waterfront park on River Road that offers fishing, two picnic pavilions, a playground and memorials to the US Navy and US Marine Corps. The park is also host of a weekly Easy Listening Summer Concert series. To accommodate these concerts, a temporary stage is placed on site for each event. This project will purchase and install a permanent wood bandshell structure 47 feet by 26 feet that would allow the City to host additional concerts, along with a wider variety of community events. This is part of the City's plan to improve public access and utilize the Niagara River waterfront.

6.0 Niagara County (Continued...)

**6.1 City of North Tonawanda – Raymond Klimek Veterans Park Bandshell – M. Zimmerman
(Determined Consistent by NRGC on 3/21/2017; Approved for funding in the amount of \$90,000 by Niagara County on 11/15/2016)**

In addition to the Easy Listening Concerts, the permanent bandshell is planned to house events such as outdoor fitness classes, free family movie nights, youth theater performances, and additional summertime concerts. It can also be rented by the public for wedding receptions, company picnics, or charitable events.

This project was deemed consistent by the Niagara River Greenway Commission on March 21, 2017 and approved for funding in the amount of \$90,000 by Niagara County in November 2016.

Mr. Widger stated that the project has met all procedural requirements.

A motion was made by Mr. Burgasser and seconded by Mr. Wallace, to approve funding for the Raymond Klimek Veterans Park Bandshell in the amount of \$90,000.

A roll call vote was taken.

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

The resolution was thereupon approved.

7.0 Any other Matters

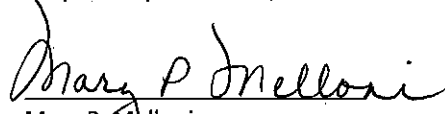
7.1 Minutes of NRGC Meeting: March 21, 2017 (*Informational Only*)

8.0 Next Meeting: June 6, 2017 - 12:00 p.m.

9.0 Adjournment

A motion was made to adjourn by Mr. Hapeman, seconded by Mr. Burgasser. Meeting adjourned at 12:45 p.m.

Respectfully submitted,


Mary P. Melloni
Recording Secretary

6.1

**Morgan Lewis Bust
Project**

Host Community Project Number: HCSC-17-004

Date Submitted: 8-01-17

Host Communities Standing Committee Review Form

PROJECT SPONSOR INFORMATION:

Name: Town of Lewiston

Mailing Address: 1375 Ridge Road

State: Lewiston, NY Zip Code: 14092

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: Morgan Lewis Bust Project

Location: Village's Peace Garden

Site Address: 476 Centetr Street

State: Lewiston, NY Zip Code: 14092

Minor Civil Divison(s): Town of Lewiston

County: Niagara

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

Owned by Village of Lewiston

AUTHORIZED OFFICIAL

Name:	<u>Steve Broderick</u>	Title:	<u>Supervisor</u>
Business Address:	<u>1375 Ridge Road</u>		
State:	<u>Lewiston, NY</u>	Zip Code:	<u>14092</u>
Telephone Number:	<u>716-754-8213</u>	Cell Number:	<u></u>
Fax Number:	<u></u>		
E-Mail Address:	<u>supervisor@townoflewiston.us</u>		

PROJECT POINT OF CONTACT

Name:	<u>Steve Broderick</u>	Title:	<u>Supervisor</u>
Business Address:	<u>1375 Ridge Road</u>		
State:	<u>Lewiston, NY</u>	Zip Code:	<u>14092</u>
Telephone Number:	<u>716-754-8213</u>	Cell Number:	<u></u>
Fax Number:	<u></u>		
E-Mail Address:	<u>supervisor@townoflewiston.us</u>		

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

Village of Lewiston

Resolution Supporting The Town of Lewiston's
Greenway Application for the Morgan Lewis Bust

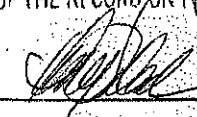
WHEREAS, Town of Lewiston is applying to the Niagara River Greenway for a grant application to purchase and install a bust of Morgan Lewis. This bust will be located at the Village's Peace Garden at 476 Center Street, Lewiston

THEREFORE, be it resolved that the Village Board of the Village of Lewiston hereby does approve and endorse the Greenway Application for the Town of Lewiston Morgan Lewis Bust Niagara River Greenway Project.

May 1, 2017
DATE OF ADOPTION


CERTIFICATION OF CLERK

I HEREBY CERTIFY THAT THIS
IS A TRUE & CORRECT COPY
OF THE RECORD ON FILE IN MY OFFICE





July 20, 2017

Steve Broderick
1375 Ridge Road
Lewiston, NY 14092

Dear Mr. Broderick:

The Niagara River Greenway Commission is pleased to support your project, "Morgan Lewis Bust Project".

The project was deemed consistent to the Niagara River Greenway Plan as determined by the Niagara River Greenway Commission on July 18, 2017. The subjective evaluations were based on the principals, goals and criteria that define the Niagara River Greenway Plan.

As a reminder, the Greenway Commission provides consistency review, not funding allocation. Please review the Host Community Standing Committee Application Guidelines:
<http://www.niagarapowercoalition.com/hcsc/application-process.php>

The Commission is pleased to support your project proposal and wishes you great success.

Respectfully,

A handwritten signature in black ink, appearing to read 'Jeanne A. Leccese'.

Jeanne A. Leccese
Executive Director, Niagara River Greenway Commission

CC: Thomas O'Donnell, Acting Chairperson, Host Community Standing Committee
Greg Stevens, Chairman, Niagara River Greenway Commission

Niagara River Greenway Commission
3160 DeVeaux Woods Drive
Niagara Falls, New York 14305
(716) 299.0804
NIAGARAGREENWAY.ORG

6.2

Discover Niagara Shuttle Project

Host Community Project Number: HCSC-17-005

Date Submitted: 8-01-17

**Host Communities Standing Committee
Review Form**

PROJECT SPONSOR INFORMATION:

Name: Town of Lewiston
Mailing Address: 1375 Ridge Road
State: Lewiston, NY **Zip Code:** 14092

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: Discover Niagara Shuttle
Location: Greenway Corridor
Site Address: 1375 Ridge Road
State: Lewiston, NY **Zip Code:** 14092
Minor Civil Divison(s): Town of Lewiston
County: Niagara
Project Proponent Property Interest (own, lease, easement or other):
N/A

AUTHORIZED OFFICIAL

Name:	<u>Steve Broderick</u>	Title:	<u>Supervisor</u>
Business Address:	<u>1375 Ridge Road</u>		
State:	<u>Lewiston, NY</u>	Zip Code:	<u>14092</u>
Telephone Number:	<u>716-754-8213</u>	Cell Number:	<u></u>
Fax Number:	<u></u>		
E-Mail Address:	<u>supervisor@townoflewiston.us</u>		

PROJECT POINT OF CONTACT

Name:	<u>Steve Broderick</u>	Title:	<u>Supervisor</u>
Business Address:	<u>1375 Ridge Road</u>		
State:	<u>Lewiston, NY</u>	Zip Code:	<u>14092</u>
Telephone Number:	<u>716-754-8213</u>	Cell Number:	<u></u>
Fax Number:	<u></u>		
E-Mail Address:	<u>supervisor@townoflewiston.us</u>		

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

April 24, 2017 RTBM

Seasonal Fees

All hydrant meters shall have a \$200.00 seasonal fee attached to their use. This fee must be paid prior to the issuance of the water meter. This fee does not include the cost of water at the current water rates.

Non-Seasonal Fees

All hydrant meters shall have a \$80.00 non-seasonal fee attached to their use plus the cost of the water at the current water rates.

Engineering: Nothing

UMFC: The Upper Mountain Fire Company requests the Town remove the following individuals from its Roster: Paul Dragem and McKenzie Penque.

UMFC ROSTER

Broderick MOVED for approval. Seconded by Geiben and carried 4-0. (Morreale not present for vote.)

FUNDS ALLOCATED
FOR NIAGARA
SHUTTLE

Niagara Shuttle: Broderick talked to Sarah Capen, Executor Director for the Niagara Falls National Heritage Area. There was some concern about cuts for the Discover Niagara Shuttle. It is funded for 2017. Any cuts that would occur would be in 2018.

Broderick MOVED to allocate \$50,000 in Greenway money to support the Niagara Shuttle and its finances for 2017. Seconded by Geiben and carried 5-0.

COUNCILMAN BAX

POLICE HIRE

Hire P/T Police Officer: Bax said at the last meeting, the Town appointed Brandon Campbell from P/T to F/T, effective May 1, 2017. This left a part-time vacancy in the Police Department. Chief Previte requests the hiring of Michael Litten who is currently working P/T in Middleport.

BAX MOVED to appoint Michael Litten as P/T Police Officer. Seconded by Geiben and carried 5-0.

COUNCILWOMEN CERETTO: Nothing

COUNCILMAN GEIBEN

CABLE/PEG
UPDATE

Cable/PEG: Geiben said the Cable Commission had a meeting several weeks ago (4/8/2017). He asked the Clerk to post the minutes on the Town's website. At the next meeting, resolutions will be presented to the Board to move ahead with PEG. If there is still some concern about the student involvement, they can separate that and just work with purchasing the equipment for installation to begin videotaping the meetings. As an educator, Geiben said he is hoping to get students involved but he can't let that aspect bog down the other progress. The technology is there. We should move ahead with it.

COUNCILMAN MORREALE: Nothing

PRIVILEGE OF THE FLOOR:

RESIDENT
STATEMENTS

Paulette Glasgow, The Circle Drive, asked specifically what these new water fees are. She had a meter pit put in several years ago. When it was put in, it was sitting above the ground. It is now sinking into the ground. Townsend said that is her responsibility to maintain.

Nancy Correa, Riverwalk Drive said she is glad they are proceeding with videotaping the Town Board meetings. She asked if other boards and commissions would utilize this



July 20, 2017

Steve Broderick
1375 Ridge Road
Lewiston, NY 14092

Dear Mr. Broderick:

The Niagara River Greenway Commission is pleased to support your project, "Discover Niagara Shuttle Project".

The project was deemed consistent to the Niagara River Greenway Plan as determined by the Niagara River Greenway Commission on July 18, 2017. The subjective evaluations were based on the principals, goals and criteria that define the Niagara River Greenway Plan.

The Greenway Commission offers the following recommendations:

- Encourage the Discover Niagara Shuttle to include shuttle stops that highlight the region's natural history and unique ecology. We were encouraged to learn that the Stella Niagara Preserve will be an additional shuttle stop and welcome similar natural areas to be highlighted.

As a reminder, the Greenway Commission provides consistency review, not funding allocation. Please review the Host Community Standing Committee Application Guidelines:
<http://www.niagarapowercoalition.com/hcsc/application-process.php>

The Commission is pleased to support your project proposal and wishes you great success.

Respectfully,

A handwritten signature in black ink, appearing to read "Jeanne A. Leccese".

Jeanne A. Leccese
Executive Director, Niagara River Greenway Commission

CC: Thomas O'Donnell, Acting Chairperson, Host Community Standing Committee
Greg Stevens, Chairman, Niagara River Greenway Commission

Niagara River Greenway Commission
3160 DeVeaux Woods Drive
Niagara Falls, New York 14305
(716) 299.0804
NIAGARAGREENWAY.ORG

7.1

West Canal Marina & Park Paddle Sport Launch – Phase II

Host Community Project Number: HCSC-15-007

Date Submitted: 8-01-17

**Host Communities Standing Committee
Review Form**

PROJECT SPONSOR INFORMATION:

Name: Niagara County Parks

Mailing Address: 59 Park Avenue, Lockport

State: NY Zip Code: 14094

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: West Canal Marina & Park Paddle Sport Launch - Phase II

Location: West Canal Marina & Park

Site Address: Tonawanda Creek and Townline Road

State: New York Zip Code: 14120

Minor Civil Division(s): Pendleton

County: Niagara

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

Owned by State of New York and leased to Niagara County Parks

AUTHORIZED OFFICIAL

Name:	<u>Richard E. Updegrove</u>	Title:	<u>County Manager</u>
Business Address:	<u>59 Park Avenue, Lockport</u>		
State:	<u>New York</u>	Zip Code:	<u>14094</u>
Telephone Number:	<u>716-439-7006</u>	Cell Number:	<u></u>
Fax Number:	<u></u>		
E-Mail Address:	<u>Richard.updegrove@niagaracounty.com</u>		

PROJECT POINT OF CONTACT

Name:	<u>Garret Meal</u>	Title:	<u>Commissioner of Public Works</u>
Business Address:	<u>59 Park Avenue, Lockport</u>		
State:	<u>New York</u>	Zip Code:	<u>14094</u>
Telephone Number:	<u>716-439-7242</u>	Cell Number:	<u></u>
Fax Number:	<u></u>		
E-Mail Address:	<u>garret.meal@niagaracounty.com</u>		

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

NIAGARA COUNTY LEGISLATURE

FROM: Legislators Richard L. Andres, DATE: 06/20/17 RESOLUTION # IL-062-17
Kathryn L. Lance, Anthony J. Nemi,
John Syracuse, Owen Steed, David Godfrey and
Parks, Recreation & Tourism Ad hoc Committee

APPROVED	REVIEWED	COMMITTEE ACTION	LEGISLATIVE ACTION
CO. ATTORNEY	CO. MANAGER	Ad hoc - 4/12/17	Approved: Ayes Abs. Noes 0
			Rejected: Ayes Abs. Noes
			Referred:

SUPPORT FOR THE NIAGARA COUNTY PARKS DEPARTMENT WEST CANAL MARINA & PARK PADDLE SPORT LAUNCH PROJECT PHASE II - SHORE POWER AND FRESH WATER SYSTEM

WHEREAS, the Niagara Power Coalition ("NPC") and the New York Power Authority ("NYPA") 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 Erie Canal waterfront is a shared natural, scenic and recreational asset for Niagara County and the Town of Pendleton where great strides have been taken by both communities to work collaboratively to study, plan and implement development and preservation efforts that will enhance accessibility while maintaining the natural integrity of the area, and

WHEREAS, the Niagara County Parks Department is proposing to improve waterfront access and recreational opportunities offered to the community at the West Canal Marina & Park, a 30-acre park that features a marina, parkland and a natural open space and is open to all residents and youth groups for hiking, nature study, wildlife and conservation training, camping, kayaking, boating, canoeing, soccer and archery, and

WHEREAS, the Niagara County Parks Department proposal is the next step in utilizing greenway funds to execute the goals of the Niagara County Comprehensive Plan and the comprehensive plan in the "Vision for the Amherst/Pendleton Waterfront Revitalization Area", and

WHEREAS, Phase I improvements included the installation of a kayak, canoe launch and special access fishing dock, transforming the existing site condition by dedicating one boat launch ramp and creating a safer and handicap accessible pathway, and

WHEREAS, the Niagara County Parks Department has made application to the Niagara County's Ad Hoc Committee on Recreation and Tourism for Greenway funds for Phase II of the West Canal Marina & Park Paddle Sport Launch Project for Shore Power and Fresh Water System, and

WHEREAS, the current Phase II proposal includes the installation of power and fresh water stations at the dock area of the West Canal Marina & Park Paddle Sport Launch, which will close a key gap for boaters as they travel from Lockport to Buffalo along the Erie Canal, and

WHEREAS, Phase II of the West Canal Marina & Park Paddle Sport Launch for Shore Power and Fresh Water System 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 Phase II of the West Canal Marina & Park Shore Power and Fresh Water System will increase traffic to the County's waterfront and parks; restoring environmental integrity, and

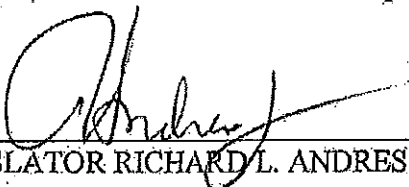
WHEREAS, Niagara County's Park request has the support of the town of Pendleton, and

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 county of Niagara is to be complimented on the ability to utilize the Greenway available funds for this and other projects, now, therefore, be it

RESOLVED, that the Niagara County Legislature does hereby support and sponsor the funding of \$61,500.00 for the County of Niagara West Canal Marina & Parks Paddle Sport Launch - Phase II Power and Water Installation Project when presented to the Host Community Standing Committee, and be it further

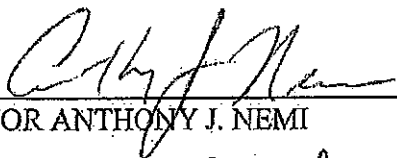
RESOLVED, that following the county Attorney's review, the Chairman of the Legislature be, and hereby is, authorized to execute the required documents.



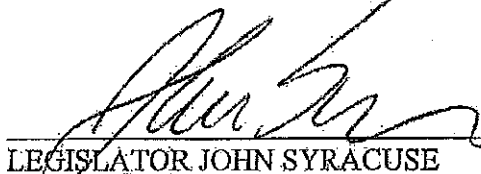
LEGISLATOR RICHARD L. ANDRES



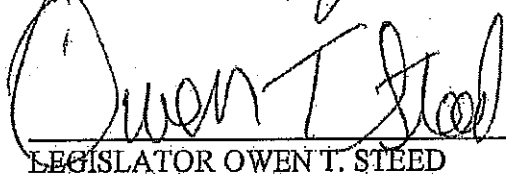
LEGISLATOR KATHRYN L. LANCE



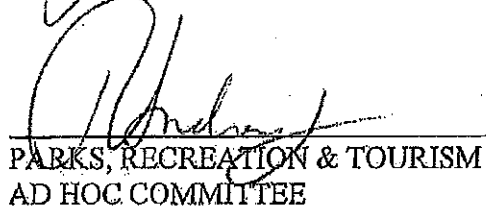
LEGISLATOR ANTHONY J. NEMI



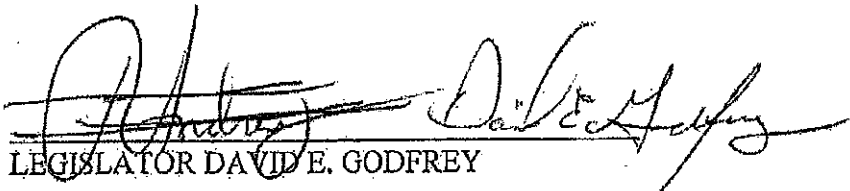
LEGISLATOR JOHN SYRACUSE



LEGISLATOR OWEN T. STEED



PARKS, RECREATION & TOURISM
AD HOC COMMITTEE



LEGISLATOR DAVID E. GODFREY



July 23, 2015

Jeff Glatz
Niagara County
59 Park Ave.
Lockport, NY 14094

Dear County Manger Glatz:

The Niagara River Greenway Commission is pleased to support the Pendleton West Canal Marina and Park Consultation and Review package.

The project was deemed consistent to the Niagara River Greenway Plan as determined by the Niagara River Greenway Commission on July 21, 2015. The subjective evaluations were been based on the principals, goals and criteria that define the Niagara River Greenway Plan.

The Commission is pleased to support your project proposal and wishes you great success.

Respectfully,

Greg Stevens 

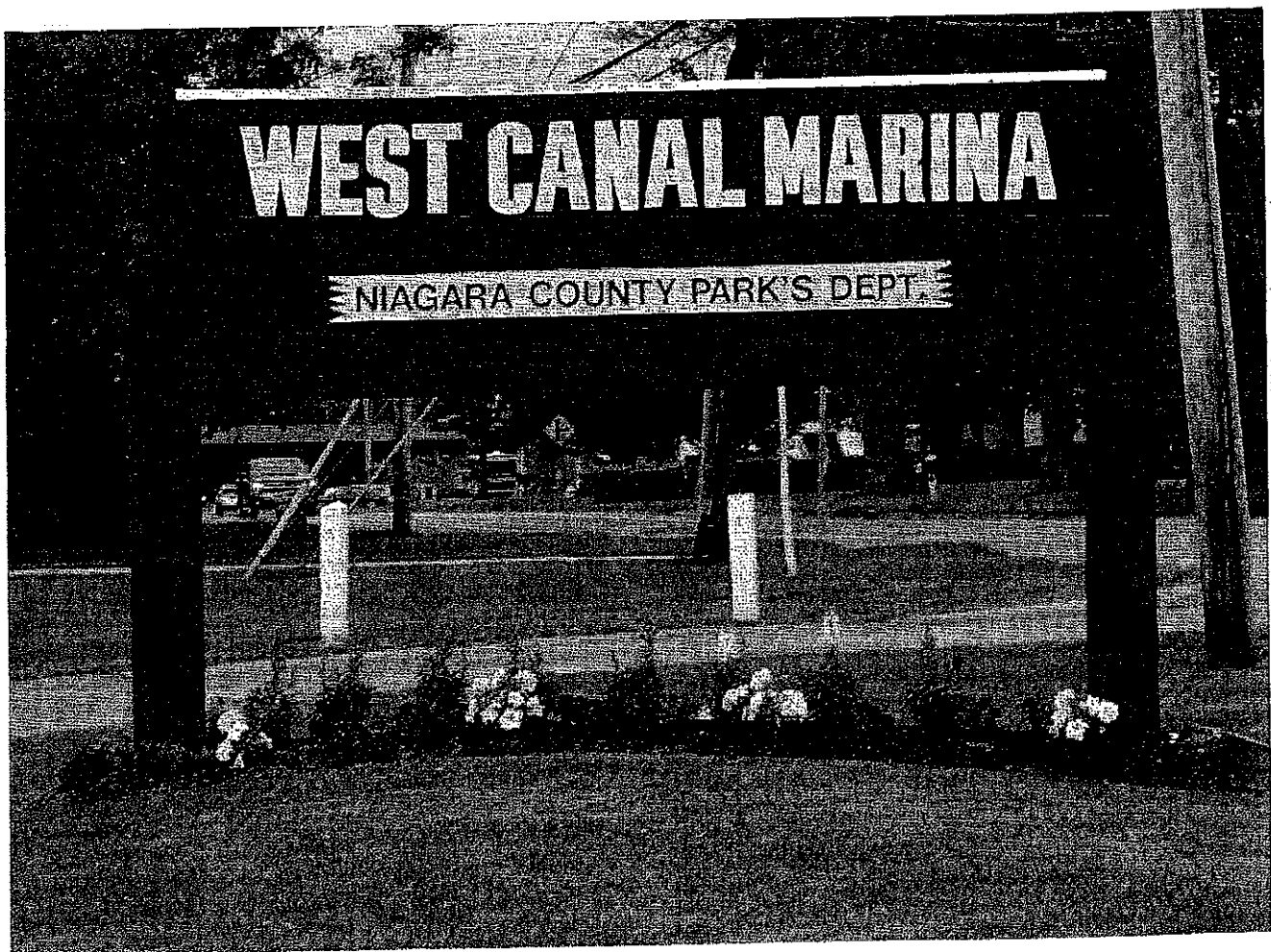
Greg Stevens
Chairman, Niagara River Greenway

Cc: Niagara County Power Coalition
Mark Thomas, Director Western District
Lou Paonessa, NYPA

**NIAGARA RIVER GREENWAY COMMISSION
PROJECT CONSULTATION AND REVIEW**

**SHORE POWER AND FRESH WATER
SYSTEM**

**WEST CANAL MARINA & PARK
TOWN OF PENDLETON, NIAGARA COUNTY, NY**



May 2017

AUTHORIZED OFFICIAL

Name: RICHARD E. UPDEGROVE Title: COUNTY MANAGER

Business Address: 59 Park Ave, Lockport

State: NEW YORK Zip Code: 14094

Telephone Number: 716-439-7006 Cell Number: _____

Fax Number: _____

E-Mail Address: RICHARD.UPDEGROVE@NIAGARACOUNTY.COM

PROJECT POINT OF CONTACT

Name: GARRET MEAL Title: COMMISSIONER OF PUBLIC WORKS

Organization/Firm: NIAGARA COUNTY

Business Address: 59 Park Ave., Lockport

State: NEW YORK Zip Code: 14094

Telephone Number: 716-439-7242 Cell Number: _____

Fax Number: _____

E-Mail Address: GARRET.MEAL@NIAGARACOUNTY.COM

PROJECT DESCRIPTION

The Erie Canal waterfront is a shared natural, scenic and recreational asset for the Towns of Pendleton and Amherst, New York. Great strides have been taken by both communities to work collaboratively to study, plan and implement development and preservation efforts that will enhance accessibility while maintaining the natural integrity of the area. The Niagara County Parks Department is proposing to improve waterfront access and recreational opportunities offered to the community at the West Canal Marina & Park site. This proposal is the next step in utilizing greenway funds to execute the goals of the comprehensive plan in the "Vision for the Amherst/Pendleton Waterfront Revitalization Area" as adopted by the Waterfront Advisory Committee on May 6, 2002.

Niagara County Parks has a series of parks throughout the County, serving the families of Niagara County and Western New York. The 30 acre park serves as a marina, parkland and a natural open space and is open to all residents, youth groups with a goal of passing on the love of nature to next generation. It is an ideal setting for hiking, nature study, wildlife and conservation training, camping, kayaking, boating, canoeing, soccer, archery and more.

The current proposal is for the installation of power and fresh water stations at the dock area of the West Canal Marina Park, which will close a key gap for boaters as they travel from Lockport to Buffalo along the Erie Canal.

The proposed project will compliment the newly opened eight-mile segment of the Erie Canal way Trail, which opened to the public in the fall of 2016, that includes a 10-ft wide asphalt trail between the Amherst Museum and Prospect Street in Lockport, a pedestrian bridge over Tonawanda Creek, trailhead parking, and information signs. Directional signage will be provided to establish an on-street link from Prospect Street to Erie Canal Locks 34 and 35. This investment demonstrates a strong regional economic development effort and regional interagency priority for this segment of the waterfront.

ADVANCING THE NIAGARA RIVER GREENWAY PLAN

Niagara River Greenway Vision: The proposed project fully advances the greenway vision. It adds a unique form of access to the Niagara River via the Tonawanda Creek/Erie Canal waterways for a segment of the population that is currently underserved. The power/fresh water stations will allow boaters to gain access to the Niagara River via its tributaries while providing learning opportunities for youths that will encourage and foster safe and healthy recreational activities. Boaters using this facility will also have the opportunity to directly experience the Tonawanda Creek/Erie Canal, which played a significant role in shaping the history and culture of the Niagara River corridor. Integrating this power/water station into this section of the trail system increases public access to the Niagara River, improves the connectivity of land access along the trail system while preserving and enhancing the environmental resources found at West Canal Marina & Park.

SUSTAINABILITY: The proposed project will have little or no environmental impact and will promote a form of green recreation that will reduce the carbon footprint and increase general appreciation for the natural environment.

ACCESSIBILITY: The Shore Power/Fresh Water system provides an opportunity for everyone to access the Niagara River. This is a unique form of access that allows the user the opportunity to directly experience the Niagara River via its tributaries.

ECOLOGICAL INTEGRITY: Use of best management practices and landscape improvements during construction will help to mitigate future erosion. Important native habitat adjacent to the proposed Shore Power/Fresh Water system will not be compromised by the project. Establishing access via Tonawanda Creek and the Erie Canal provides opportunities for environmental education and wildlife observation.

CONNECTIVITY: This proposed project provides access to waters that not only connect to the Niagara River but also connect the boater with the historic, cultural and environmental attributes associated with the Tonawanda Creek/Erie Canal waterways trail and is in keeping with the next

development phase in the Joint Local Waterfront Revitalization Program.

ABILITY TO MATCH FUNDS: Assuming a finding of consistency by the Niagara River Greenway Commission, Niagara County parks will be requesting project support from the one of the established Greenway Standing Committees.

IMPLEMENTABLE: There are no constraints that would preclude the implementation of the proposed project. The project site has no significant environmental features and the landscape topography is such that only minimal disturbance is necessary to complete the installation of the Shore Power and Fresh Water system.

FOCUS: The proposed project site is located on the banks of the Tonawanda Creek/Erie Canal. Boaters using the proposed project can easily gain access to the open rivers via the Tonawanda Creek/Erie Canal waterways.

CELEBRATION: The existence of this facility presents a unique opportunity for residents and visitors to celebrate the cultural, historic and environmental values that are an inherent part of the Niagara Greenway. The addition of the system enhances the ability of the West Canal Marina & Park to attract and serve additional groups to the vision of the Niagara Greenway.

PARTNERSHIPS: Establishment of this system serves as one of many linkages for the blue water trail system that is developing in the upper Niagara River. The existence of this facility may give rise to others and their linkage would add value to this system. In addition, the project and its potential venues will allow West Canal Marina & Park to partner with youth groups and stakeholder groups further strengthening the public image of the Niagara River Greenway.

AUTHENTICITY: Tonawanda Creek waterway has a rich history based on the fact that it serves as a major tributary to the Niagara River. As such, the Tonawanda Creek/Erie Canal waterway played a key role in the early development of this country providing waterborne link for westward immigration as well as for the transportation of goods and materials. The project at West Canal Marina & Park will focus on these historic and natural attributes through the use of interpretive signage.

PROJECT BUDGET

Planning	In-kind
Construction	\$ 65,000.00
Acquisition	existing
Administration	In-kind
<u>Operation & Maintenance</u>	
Year	In-kind

Interpretive Signage	\$6,500.00
TOTAL PROJECT COST	\$ 71,500.00

The Niagara County Parks will be responsible for the planning, designing bid, preparation, construction oversight and yearly operation & maintenance.

LOCAL MEASURES TO RALLY SUPPORT

The proposed Shore Power and Fresh Water system addresses the needs identified by both non-profit organizations and the governmental entities in which the site is located within. Boaters are lacking access to shore power and fresh water systems to ensure everyone would have the opportunity for safe boating, learning environment and access to the canal and Niagara River. This location will provide a connection to and from the water to upland recreational facilities and serve as a safe harbor. In addition, it will provide much needed access to and from the water for fire, police and rescue agencies in the event of an emergency.

The Niagara County Legislature with its adopted County-Wide Master Plan along with the Amherst and Pendleton Town Boards have charged the Waterfront Advisory Committee (WAC) with overseeing the planning process and provide a framework for preparing a plan for the future of the waterfront area and address concerns of the public. The Waterfront Advisory Commission has offered the public a number of opportunities to share its insight regarding the waterfront today and in the future. This proposal reflects the information learned at the numerous public input sessions.

RESOLUTION OF SUPPORT:

Niagara County Legislature (*see Appendix 1-1*)
Town of Pendleton (*see Appendix 1-2*)

ENVIRONMENTAL SETTING

The proposed shore power and fresh water will be placed exclusively within the confines of West Canal Marina & Park, a recreational area with frontage on the Tonawanda Creek. The creation of this area was the direct results of The New York Canal Corporation realigning the canal for motorized barges. At the same time of canal enlargement, this area was used as a dredging spoil lagoon. Native Grass and vegetation is the typical cover for most of the park and is the predominant landscape.

The bank of the creek within the proposed project footprint fosters native riparian and aquatic plant species respectively. The creek bottom in the project area consists mostly of loose silt which is readily suspended in the water column by passing motorboats or moderate runoff during rainfall events. There are no freshwater wetlands anywhere within the West Canal Marina & Park property and the project is expected to fully comply with the requirements set forth in the State

Environmental Quality Review Act (SEQRA).

IMPACT OF THE PROJECT ON THE ENVIRONMENT

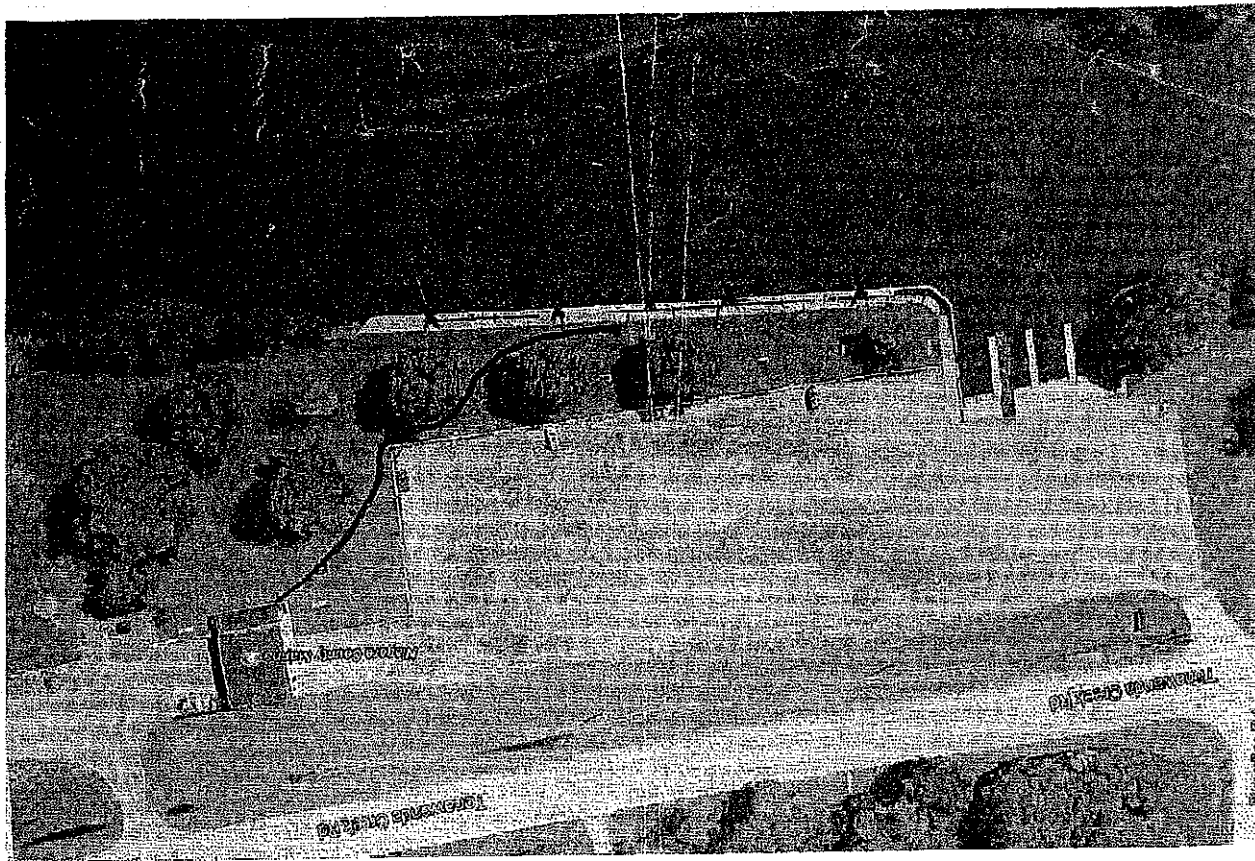
The proposed project will not have a significant impact on the environment. Installation of the shore power/fresh water facility will require little earth movement. The use of the existing retaining wall/dock area eliminates the potential for trace pollutants.

PROJECT BENEFITS

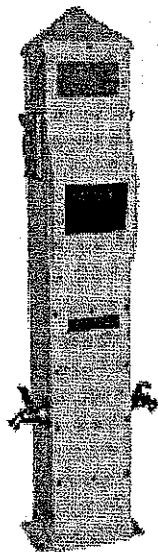
- The proposed project will establish a safe and effective facility for members of the public engaged in boating
- Implementation of this project and the subsequent establishment of an associated blue water trail will add value to the Niagara River Greenway
- Uniquely designed, this facility will allow people to gain safe access to the waters of the Tonawanda Creek/Erie Canal and the Niagara River
- Establishing a blue water trailhead opens up the opportunity for boating venues ranging from guided tours to competitive events. The end result is an increase in interest in the Tonawanda Creek/Erie Canal waterways and the Niagara River as well as increased economic activity brought about by participant spending.
- The existence of the shore power/fresh water system will diversify the recreational activity base at West Canal Marina & Park adding value for local residents and visitors

PROJECT PLAN VIEW

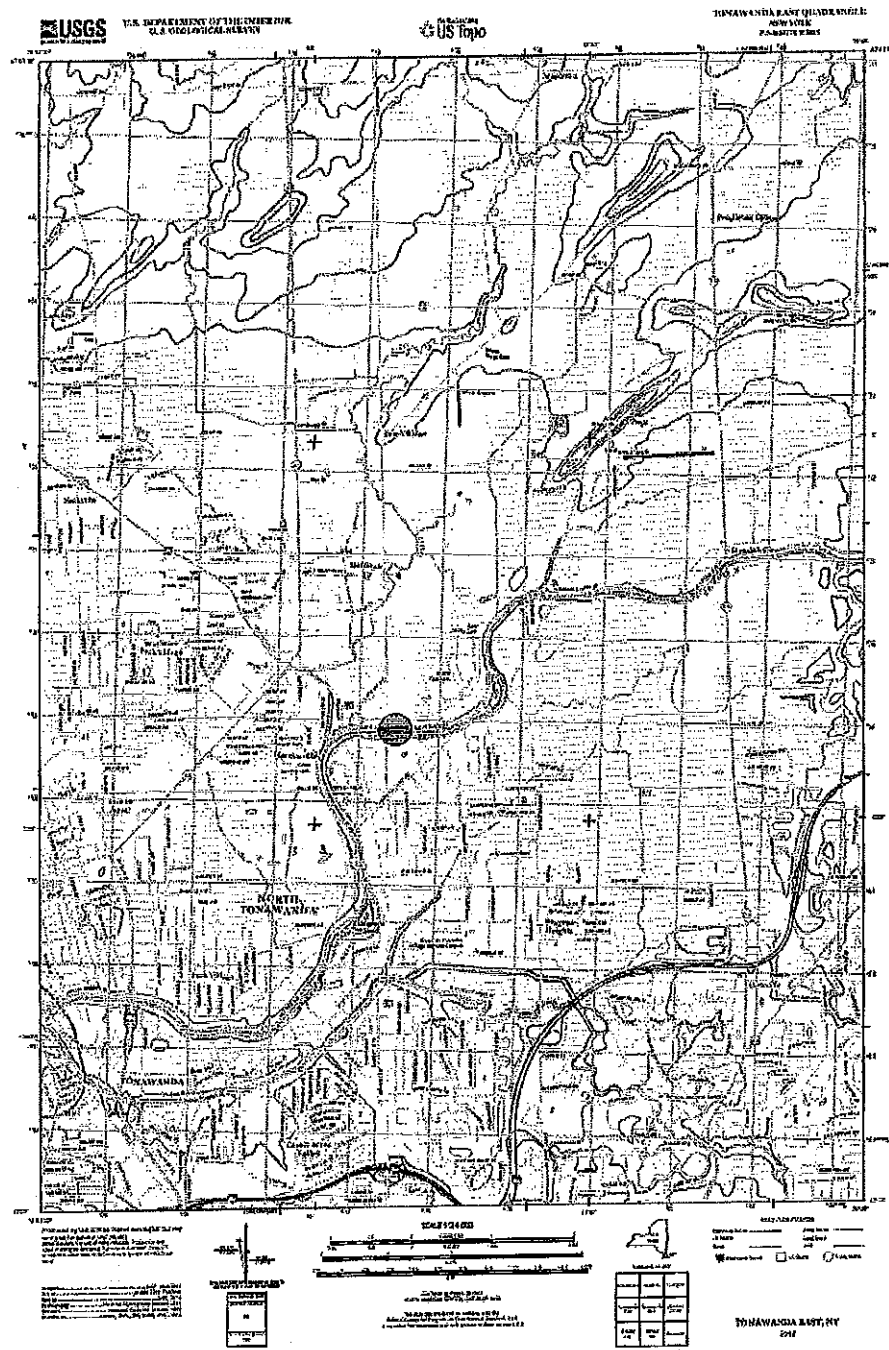
Proposed location plan for shore power/fresh water stations:



Proposed power and water station to be installed at the "x" locations above:

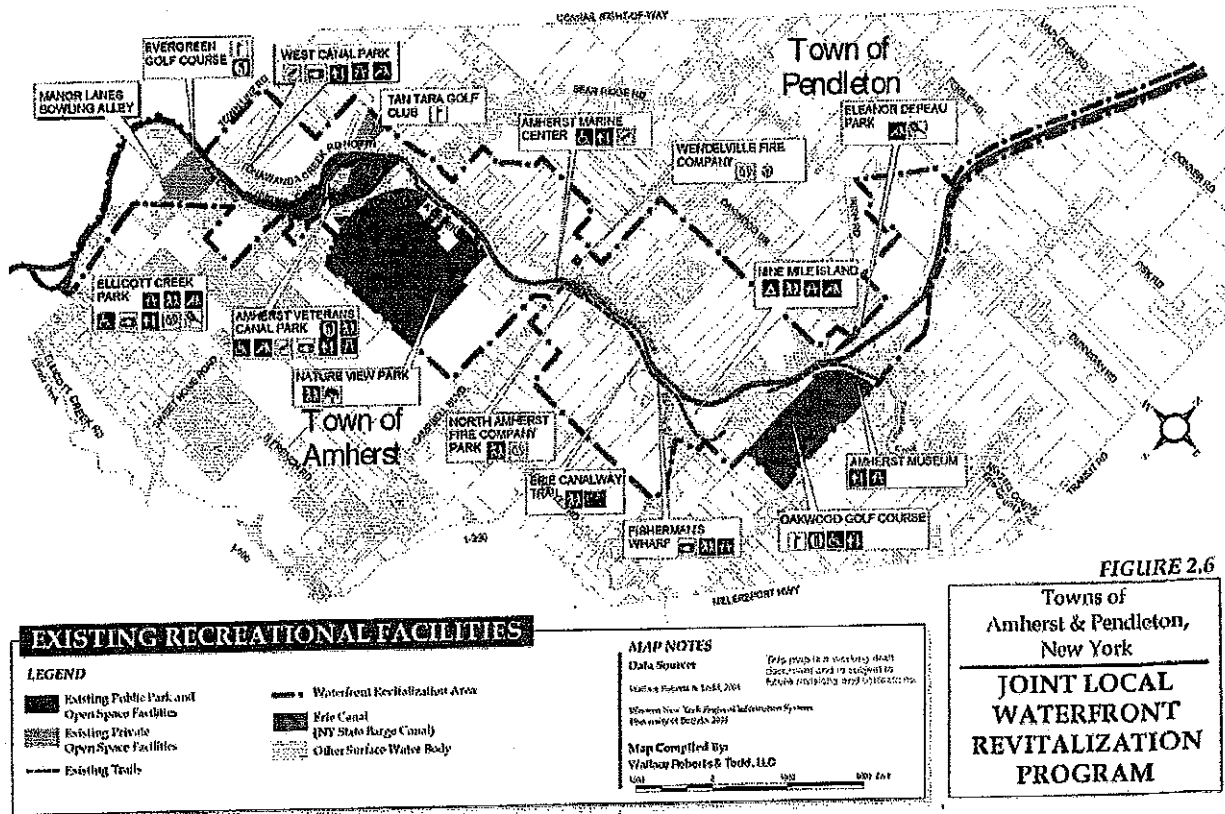


Proposed shore power/fresh water system in relation to Existing Recreational Facilities in Towns of Amherst & Pendleton, New York. Joint Local Waterfront Revitalization Program.



ADDITIONAL MAPS

Map displays the existing recreational facilities and ongoing waterfront revitalization projects between Towns of Amherst & Pendleton. West Canal Marina & Park location is highlighted in yellow.



Map displays on-going waterfront revitalization projects in the Towns of Amherst and Pendleton. West Canal Marina & Park location is highlighted in yellow.

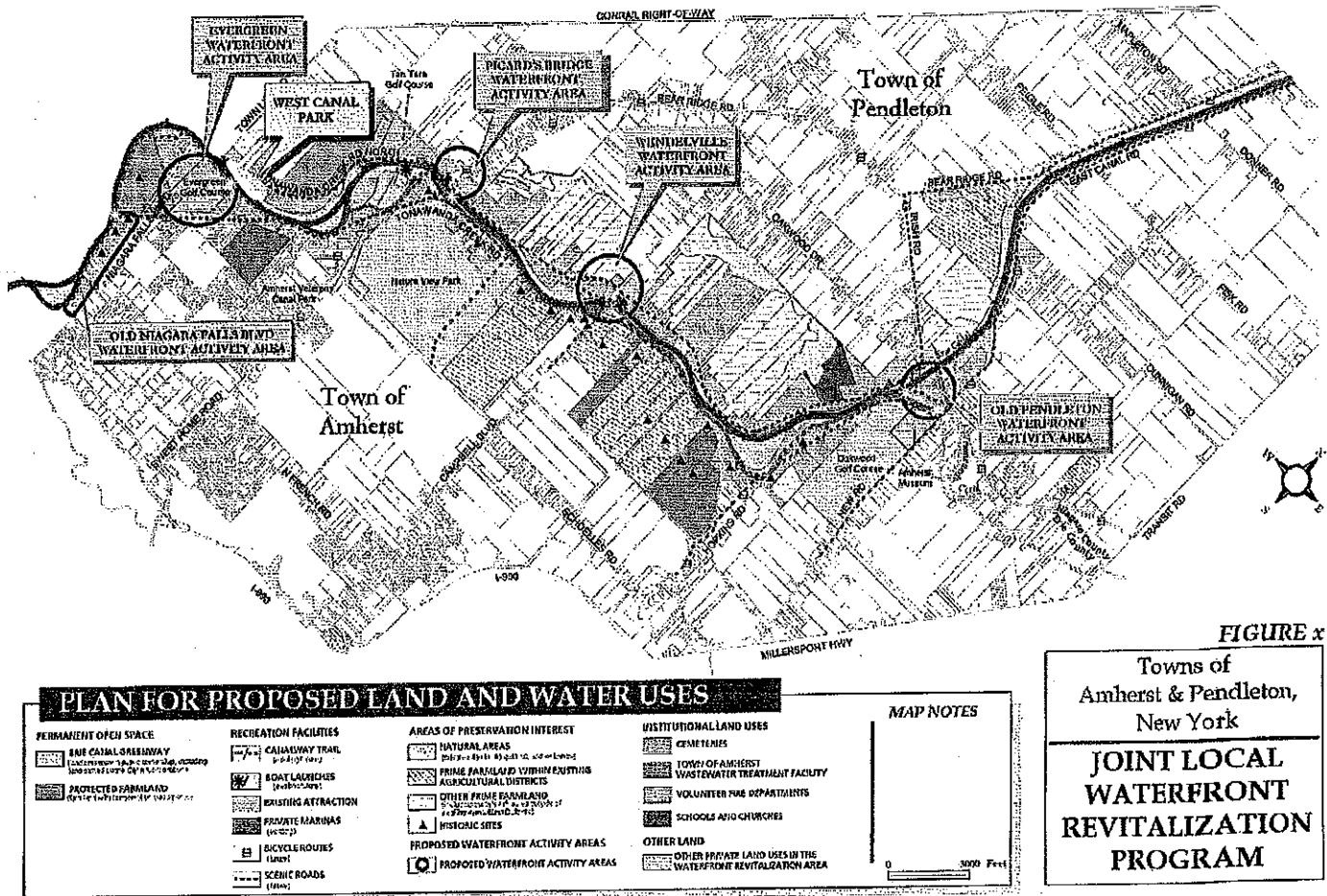
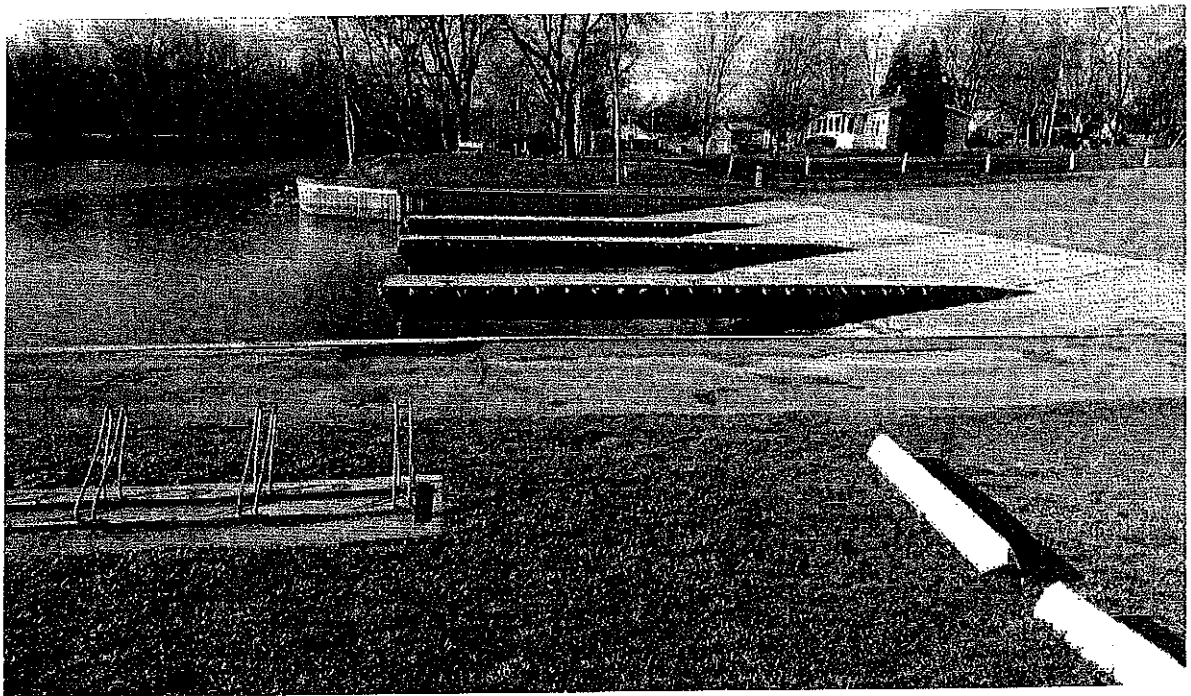
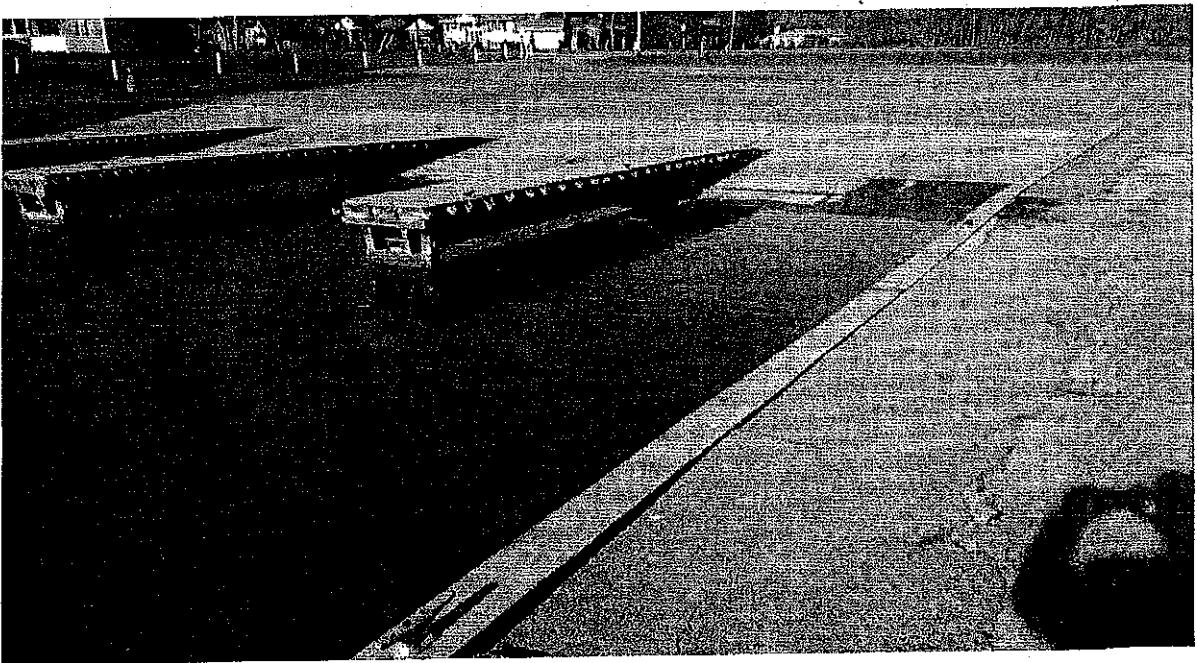


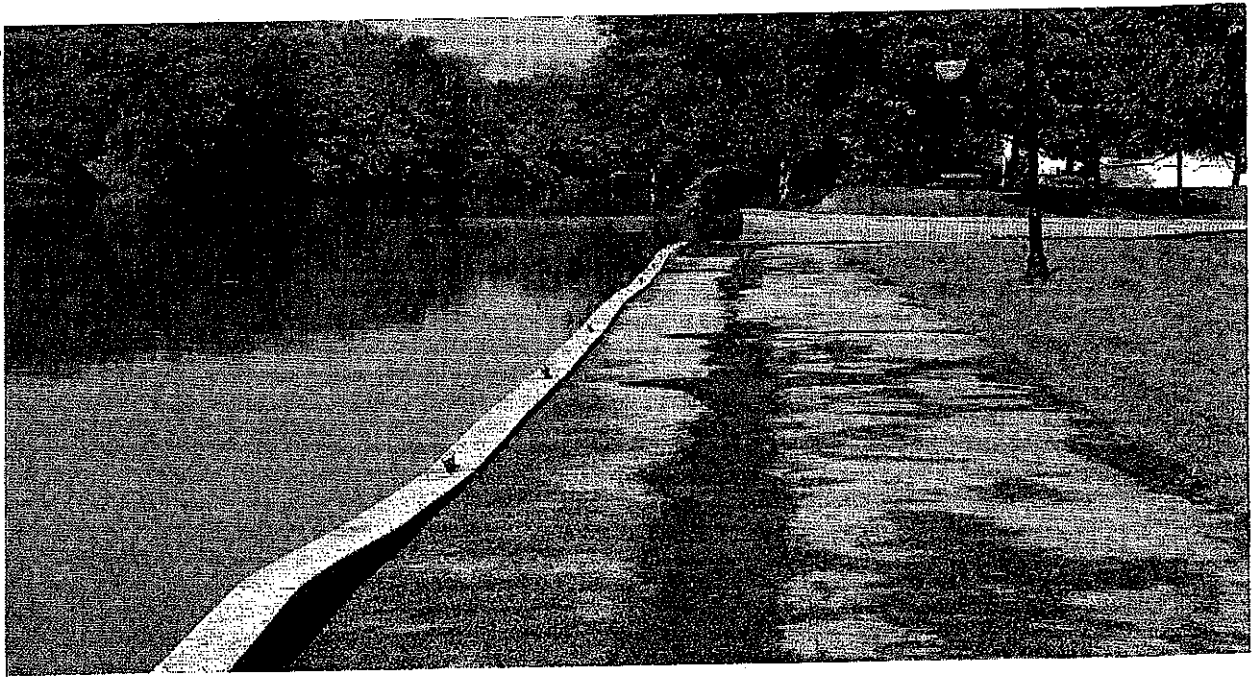
FIGURE x

PHOTOGRAPHS OF EXISTING SITE CONDITIONS

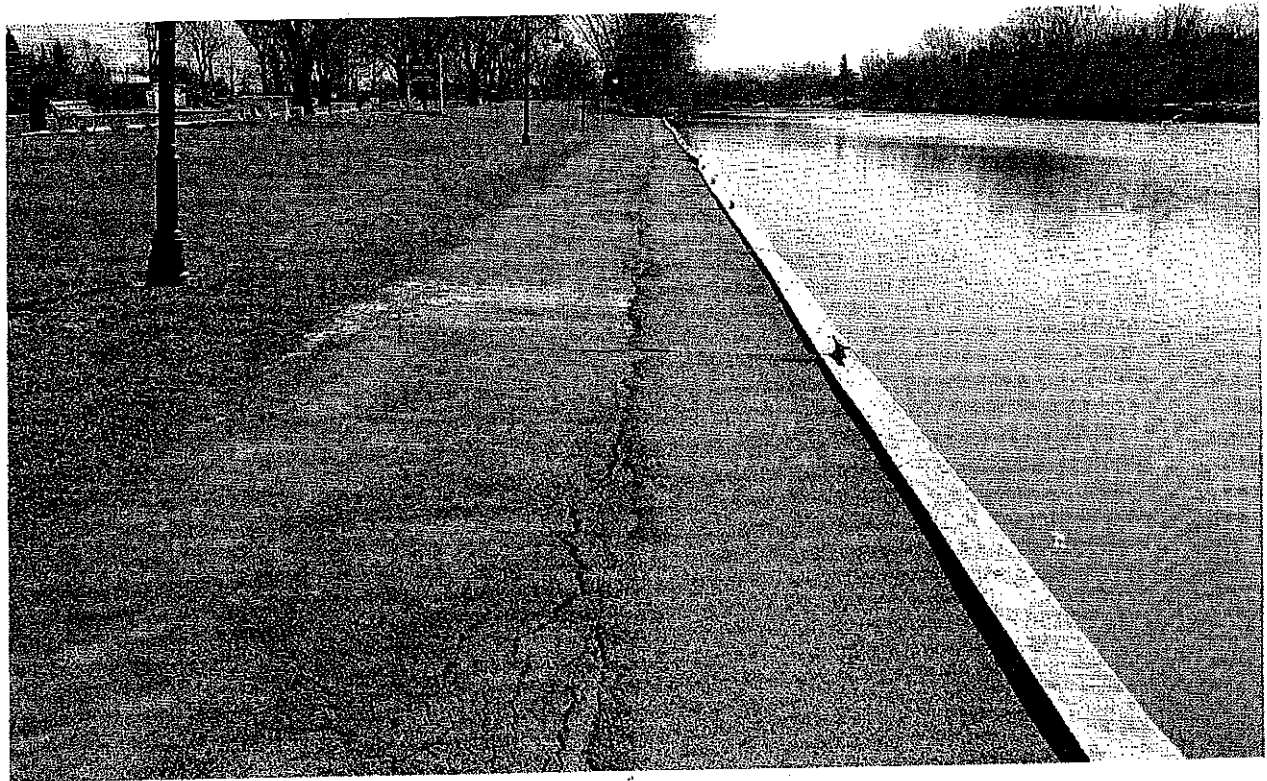


Photos showing existing boat ramps





Photos showing existing retaining wall.



REFERENCES

Canalway Trails Association New York, and Parks & Trails New York. *Closing the Gaps: A Progress Report ON the Erie Canalway Trail 2012*. Publication.
<http://www.ptny.org/pdfs/canalway_trail/CloseGaps/Closing%20the%20Gaps%20Report%202012.pdf>.

Town of Amherst Bicentennial Comprehensive Plan. Rep. Town of Amherst, Adopted 2 Jan. 2007, Amended 28 Feb. 2011. <<http://www.amherst.ny.us/pdf/planning/compplan/entire.pdf>>.

APPENDIX 1-1

NIAGARA COUNTY LEGISLATURE

FROM: Infrastructure & Facilities

Committee

DATE: 05/02/17 RESOLUTION# IF-079-17

REVIEWED

CO.MANAGER

COMMITTEE ACTION

IF - 4/24/17

LEGISLATIVE ACTION

Approved: Ayes Abs. Noes

Rejected: Ayes- - Abs- - - Noes-Referred:

AUTHORIZATION TO PROCEED WITH THE NIAGARA COUNTY WEST CANAL MARINA & PARKS PADDLE SPORT LAUNCH PROJECT - PHASE II POWER AND WATER INSTALLATION

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

WHEREAS, that settlement provides Niagara County to receive \$390,000 annually to fund economic development projects along the Greenway Trail, and

WHEREAS, the Erie Canal waterfront is a shared natural, scenic and recreational asset for Niagara County and the town of Pendleton and great strides have been taken by both communities to work collaboratively to study, plan and implement development and preservation efforts that will enhance accessibility while maintaining the natural integrity of the area, and

WHEREAS, the Niagara County Parks Department is proposing to improve waterfront access and recreational opportunities offered to the community at the West Canal Marina & Park site; this proposal is the next step in utilizing greenway funds to execute the goals of the Niagara County Comprehensive Plan and the comprehensive plan in the "Vision for the Amherst/Pendleton Waterfront Revitalization Area," and

WHEREAS, Niagara County Parks has a series of parks throughout the County, serving the families of Niagara County and Western New York; West Canal Marina & Park is a 30 acre park that serves as a marina and parkland, and is open to all residents; it is an ideal setting for picnicking, kayaking, boating, canoeing and more, and

WHEREAS, the current proposal is a "Phase II" to the original Park Paddle Sport Launch Project; the second phase includes enhancement to the boat launch area with the installation of power and water, and

WHEREAS, the West Canal Marina & Park Paddle Sport Launch - Phase II Power and Water Installation 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 West Canal Marina & Park Paddle Sport Launch - Phase II Power and Water Installation Project will increase traffic to the County's waterfront and parks; restoring environmental integrity, and

WHEREAS, Niagara County's Park request has the support of the Town of Pendleton, and be it further

RESOLVED, that the Niagara County Legislature does hereby authorize the Niagara County Buildings and Grounds Department to proceed with the request for sponsorship through the Niagara County's Ad Hoc Committee on Recreation and Tourism and the Niagara Power Coalition's Host Community Standing Committee for funding in an amount not to exceed \$100,000.00 for the Niagara County West Canal Marina & Parks Paddle Sport Launch - Phase II Power and Water Installation Project when presented to the Host Community Standing Committee, and be it further

RESOLVED, that following the County Attorney's review, the Chairman of the Legislature is hereby authorized to execute the required documents.

INFRASTRUCTURE AND FACILITIES COMMITTEE

APPENDIX 1-2



TOWN OF PENDLETON

Terry J Pienta, Town Clerk

6570 Campbell Blvd. Lockport, NY 14094
716-625-8833 ext. 112 Fax: 716-625-6295
tpienta@pendletonny.us

RESOLUTION 80 - 17

SUPPORT FOR DOCK IMPROVEMENTS

Motion by Councilman Leible, seconded by Councilman Fischer, the following resolution was

ADOPTED Ayes 5 Maerten, Leible, Ostrowski, Fischer, Jarvis

Nays 0

WHEREAS, application is being made by Niagara County Parks for Greenway funding of the construction of boat docking improvements at Pendleton West Canal Marina & Park in the center of the Tonawanda Creek / Erie Canal Waterway Trail.

WHEREAS, the construction of new and improved docking facilities being located on the Tonawanda Creek / Erie Canal Waterway Trail, which trail is in the Greenway Community in Western New York, will provide much needed usage to those traveling the Tonawanda Creek/Erie Canal Waterway Trail, thereby contributing to the economic development and tourism to those communities located on the Tonawanda Creek / Erie Canal Waterway Trail, including the Town of Pendleton, and

WHEREAS, said new docking facilities fits into the Master Plan adopted by the Town of Pendleton, NY and moreover fits into the Local Waterfront Revitalization Program, and

WHEREAS, West Canal Marina & Park since its opening has been the catalyst for the renewal of economic growth in the region by drawing hundreds of local and regional Scouts Troops, Area Youth Groups and the general public in utilizing this unique park site for nature hiking, picnicking, boating, or canoeing, and

WHEREAS, the Town of Pendleton is desirous of supporting said application for Greenway Funding for the construction of said new docking facilities for the above reasons, and

WHEREAS, the construction of said new docking facilities will be in the best interests of the residents of the Town of Pendleton and those traveling the Tonawanda Creek / Erie Canal Waterways Trail.

Now, therefore, be it RESOLVED

That the Town of Pendleton does hereby approve of and support the application of the Niagara County Parks for Greenway Funding for the construction of new docking facilities at West Canal Marina & Park, Pendleton, New York.

Adopted 04-10-2017

7.2

Carousel Society of the Niagara Frontier Music Room

Host Community Project Number: HCSC-17-007

Date Submitted: 8-01-17

Host Communities Standing Committee Review Form

PROJECT SPONSOR INFORMATION:

Name: Carousel Society of the Niagara Frontier

Mailing Address: 180 Thompson Street, North Tonawanda,

State: New York Zip Code: 14120

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: Music Room

Location: Herschell Carrousel Factory Museum

Site Address: 180 Thompson St., North Tonawanda

State: New York Zip Code: 14120

Minor Civil Division(s): _____

County: Niagara

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

Owned

AUTHORIZED OFFICIAL

Name:	<u>Raphaelle A. Proefrock</u>	Title:	<u>Executive Director</u>
Business Address:	<u>180 Thompson St., North Tonawanda</u>		
State:	<u>NY</u>	Zip Code:	<u>14120</u>
Telephone Number:	<u>716-693-1885</u>	Cell Number:	<u>716-998-8299</u>
Fax Number:	<u>716-743-9018</u>		
E-Mail Address:	<u>director@carrouselmuseum.org</u>		

PROJECT POINT OF CONTACT

Name:	<u>Raphaelle A. Proefrock</u>	Title:	<u>Executive Director</u>
Business Address:	<u>180 Thompson St., North Tonawanda</u>		
State:	<u>NY</u>	Zip Code:	<u>14120</u>
Telephone Number:	<u>716-692-1884</u>	Cell Number:	<u>NA</u>
Fax Number:	<u>716-743-9018</u>		
E-Mail Address:	<u>allanherschell@wzrd.com</u>		

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

NIAGARA COUNTY LEGISLATURE

Legislators Richard L. Andres,
FROM: Anthony J. Nemi, John Syracuse, DATE: 06/20/17 RESOLUTION # IL-061-17
Kathryn L. Lance, Owen T. Steed, David E. Godfrey
and Parks, Recreation & Tourism Ad hoc Committee

APPROVED	REVIEWED	COMMITTEE ACTION	LEGISLATIVE ACTION
CO. ATTORNEY	CO. MANAGER	Ad hoc - 4/12/17	Approved: Ayes _____ Abs. _____ Noes 0
			Rejected: Ayes _____ Abs. _____ Noes _____
			Referred: _____

SUPPORT FOR THE CAROUSEL SOCIETY OF THE NIAGARA FRONTIER MUSIC ROOM 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 Carousel Society of the Niagara Frontier Carousel runs the Herschell Carrousel Factory Museum and has made application to the Niagara County's Ad Hoc Committee on Recreation and Tourism for additional Greenway funds for its Herschell Carrousel Music Room project, and

WHEREAS, the Carousel Society runs the Herschell Carrousel Factory Museum which provides preservation of the Allan Herschell Company's history where they were once the largest producer of rides in the world, and

WHEREAS, the Carousel Society wishes to restore to the Allan Herschell Company complex, a portion which collapsed in 1995, in order to house and display its band organ collection which consists of four band organs, the original Wurlitzer Company music roll making equipment and the BAB perforator and master rolls, which are demonstrated for visitors and sold to organ owners across the country, and

WHEREAS, the restoration will encompass the renovation of the current two-story complex to a single story building, utilizing historical photographs, a 1920 Sanborn map, and saved door and wall parts, and

WHEREAS, Carousel Society project meets the guiding principles of the Niagara Greenway, and

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

WHEREAS, the proposed Carousel Society of the Niagara Frontier Music Room project will promote increased access to the County's historical and cultural sites, and

WHEREAS, the Carousel Society of the Niagara Frontier Music Room project has the support and approval of the City of North Tonawanda and Senator Robert G. Ort, and

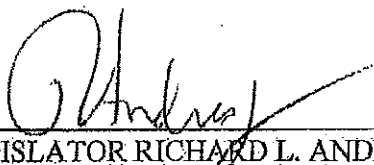
WHEREAS, the ad hoc committee for recreation and tourism fund appointed by the Niagara County Legislature to review projects brought to Niagara County seeking funding from Niagara County through the Niagara Power Coalition and the Host Community Standing Committee; has recommended that Niagara County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

WHEREAS, the Carousel Society of the Niagara Frontier has utilized great effort and is complimented for being able to receive additional funding and support whereby they are requesting the sum of \$113,200.00 on the total overall project costing \$286,500.00, and

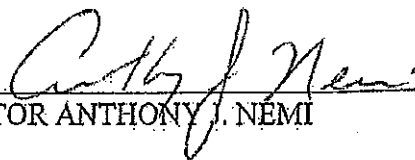
WHEREAS, the New York State Office of Parks, Recreation, and Historical Preservation has certified the Allan Herschell Carrousel Factory and is listed on the State Register of Historic Places as of March 6, 1985, one of the provisions of the State for Historical Preservation Act of 1980 is on the National Register Historical Places as of April 18, 1985 under provisions of the National Historic Preservation Act of 1966, and

WHEREAS, after receipt of grants and other funding for the project and in-kind services to be performed by the Society, the remaining \$113,200.00 of funds is being requested, now, therefore, be it

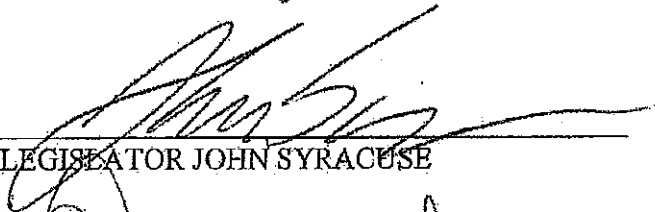
RESOLVED, that the Niagara County Legislature does hereby support and sponsor the funding of \$110,000.00 for the Carousel Society of the Niagara Frontier project when presented to the Niagara Power Coalition and the Host Community Standing Committee.



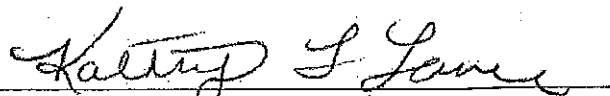
LEGISLATOR RICHARD L. ANDRES



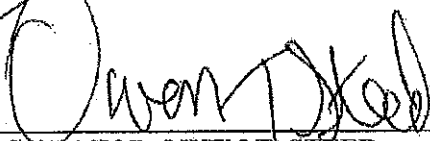
LEGISLATOR ANTHONY J. NEMI



LEGISLATOR JOHN SYRACUSE



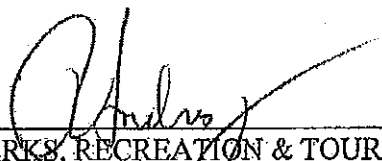
LEGISLATOR KATHRYN L. LANCE



LEGISLATOR OWEN T. STEED



LEGISLATOR DAVID E. GODFREY



PARKS, RECREATION & TOURISM
AD HOC COMMITTEE



January 18, 2017

Raphaelle Proefrock
180 Thompson Street
North Tonawanda, NY 14120

Dear Ms. Proefrock:

The Niagara River Greenway Commission is pleased to support your project, "Herschell Carrousel Music Room."

The project was deemed consistent to the Niagara River Greenway Plan as determined by the Niagara River Greenway Commission on January 17, 2017. The subjective evaluations were based on the principals, goals and criteria that define the Niagara River Greenway Plan.

The Commission is pleased to support your project proposal and wishes you great success.

Respectfully,

A handwritten signature in black ink, appearing to read "Jeanne A. Leccese".

Jeanne A. Leccese
Executive Director, Niagara River Greenway

CC: Thomas O'Donnell, Acting Chairperson, Host Community Standing Committee
Greg Stevens, Chairman, Niagara River Greenway Commission

Niagara River Greenway Commission
3160 DeVeaux Woods Drive
Niagara Falls, New York 14305
(716) 299.0804
NIAGARAGREENWAY.ORG

7.3

Lockport Locks Heritage District Corporation Lock Tenders Tribute Project

Host Community Project Number: H050-17-008

Date Submitted: 8-01-17

**Host Communities Standing Committee
Review Form**

PROJECT SPONSOR INFORMATION:

Name: Lockport Locks Heritage District Corporation

Mailing Address: One Locks Plaza

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

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: Lock Tenders Tribute

Location: On the steps of Flight of Five Locks in Canal Basin adjacent to Canal

Site Address: Locks District, Lockport

State: New York **Zip Code:** 14094

Minor Civil Divison(s): City of Lockport

County: Niagara

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

The Lockport Locks Heritage District Corporation (LHDC) is a not-for-profit organization charged with restoration of the Flight of Five Locks and implementing its associated interpreted elements.

AUTHORIZED OFFICIAL

Name:	<u>Dave Kinyon</u>	Title:	<u>Chairman, Board of Directors</u>
Business Address:	<u>One Locks Plaza</u>		
State:	<u>Lockport NY</u>	Zip Code:	<u>14094</u>
Telephone Number:	<u></u>	Cell Number:	<u>638-1119</u>
Fax Number:	<u></u>		
E-Mail Address:	<u>drkinyon@roadrunner.com</u>		

PROJECT POINT OF CONTACT

Name:	<u>Brian Smith</u>	Title:	<u>President</u>
Business Address:	<u>Greater Lockport Development Corporation, One Locks Plaza</u>		
State:	<u>Lockport NY</u>	Zip Code:	<u>14094</u>
Telephone Number:	<u></u>	Cell Number:	<u>868-4441</u>
Fax Number:	<u></u>		
E-Mail Address:	<u>briansmithwny@gmail.com</u>		

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

NIAGARA COUNTY LEGISLATURE

Legislators Richard L. Andres,
FROM: Anthony J. Nemi, John Syracuse DATE: 06/20/17 RESOLUTION# IL-060-17
Kathryn L. Lance, Owen T. Steed, David E. Godfrey
and Parks, Recreation & Tourism Ad hoc Committee

APPROVED	REVIEWED	COMMITTEE ACTION	LEGISLATIVE ACTION
CO. ATTORNEY	CO. MANAGER	Ad hoc - 4/12/17	Approved: Ayes _____ Abs. _____ Noes 0
			Rejected: Ayes _____ Abs. _____ Noes _____
			Referred: _____

SUPPORT FOR THE LOCKPORT LOCKS HERITAGE DISTRICT CORPORATION LOCK TENDERS TRIBUTE

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 Lockport Locks Heritage District Corporation has made application to the Niagara County's Ad Hoc Committee on Recreation and Tourism for Greenway funds for its Lock Tenders Tribute project which is inspired by an iconic 19th century photograph of locks tenders seated on the steps of the famed Flight of Five Locks in Lockport taken by C.J. Cleve in 1897, and

WHEREAS, the objective of the Lock Tenders Tribute is to provide residents and visitors with a glimpse in to the past through the creation by acclaimed sculptor Susan Geissler of life-size, bronze sculptures of those same lock tenders who labored to "lock through" over 1,000 packets, line boats and tows a year in the 1890s, working 12 hours days, 7 days a week from April through November, to enable boats to traverse the Niagara Escarpment which are five locks up and five locks down, and

WHEREAS, the restored Flight of Five Locks and their associated interpretational elements, including the Lock Tenders Tribute, operating alongside Locks 34 and 35, will constitute a historic and cultural exhibit unmatched anywhere else along the entire Erie Canal National Heritage Corridor, and

WHEREAS, Lockport Locks Heritage District Corporation Lock Tenders Tribute project meets the guiding principles of the Niagara Greenway, and

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

WHEREAS, the proposed Lockport Locks Heritage District Corporation Lock Tenders Tribute project will promote increased access to the County's historical and cultural sites, and

WHEREAS, the Lockport Locks Heritage District Corporation Lock Tenders Tribute project has the support and approval of the New York State Thruway Authority, Niagara County Legislator Anthony J. Nemi, and the city of Lockport, and

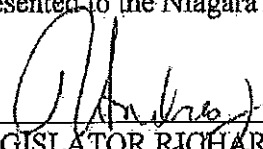
WHEREAS, the ad hoc committee for recreation and tourism fund appointed by the Niagara County Legislature to review projects brought to Niagara County seeking funding from Niagara County through the Niagara Power Coalition and the Host Community Standing Committee; has recommended that Niagara County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

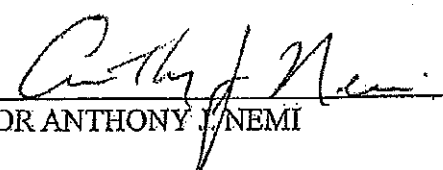
WHEREAS, the Lockport Locks Heritage District Corporation has utilized great effort and is complimented for being able to receive additional funding and support whereby they are requesting the sum of \$133,000.00 on the total overall project of first phase costing \$350,000.00, and

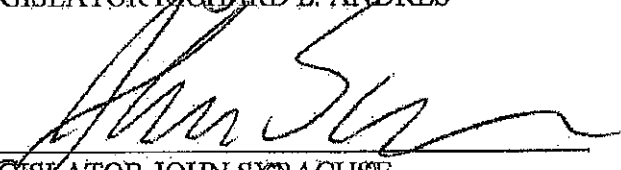
WHEREAS, the City of Lockport has embraced this project as a vital component of the revitalization of the Lockport Erie Canal Heritage Park; the New York State Canal Corporation has incorporate the Erie Canal Flight of Five in its New York State Canal Revitalization Place; and the Erie Canalway National Heritage Corridor Commission has also identified it is a demonstration project in recognition of the industrial and technological contributions to this area and to the heritage of the Erie Canalway, and

WHEREAS, after receipt of grants and other funding for the project and in-kind services to be performed by the Lockport Locks Heritage District Corporation, the remaining \$133,000.00 of funds is being requested, now, therefore, be it

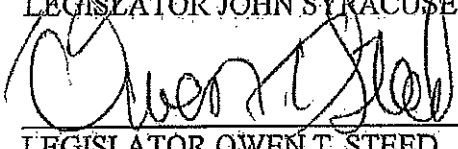
RESOLVED, that the Niagara County Legislature does hereby support and sponsor the funding of \$133,000.00 for the Lockport Locks Heritage District Corporation Lock Tenders Tribute project when presented to the Niagara Power Coalition and the Host Community Standing Committee.


LEGISLATOR RICHARD L. ANDRES

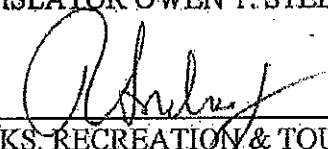

LEGISLATOR ANTHONY J. NEMI


LEGISLATOR JOHN SYRACUSE


LEGISLATOR KATHRYN L. LANCE


LEGISLATOR OWEN T. STEED


LEGISLATOR DAVID E. GODFREY


PARKS, RECREATION & TOURISM
AD HOC COMMITTEE



December 5, 2016

David Kinyon
Lockport Locks Heritage District
One Locks Plaza
Lockport, NY 14094

Dear Mr. Kinyon:

The Niagara River Greenway Commission is pleased to support your project, "Lock Tenders Tribute."

The project was deemed consistent to the Niagara River Greenway Plan as determined by the Niagara River Greenway Commission on November 15, 2016. The subjective evaluations were based on the principals, goals and criteria that define the Niagara River Greenway Plan.

The Commission is pleased to support your project proposal and wishes you great success.

Respectfully,

A handwritten signature in black ink, appearing to read "Jeanne A. Leccese".

Jeanne A. Leccese
Executive Director, Niagara River Greenway

CC: Thomas O'Donnell, Esq., Acting Chairperson, Host Community Standing Committee
Greg Stevens, Chairman, Niagara River Greenway Commission

Niagara River Greenway Commission
3160 DeVeaux Woods Drive
Niagara Falls, New York 14305
(716) 299.0804
NIAGARAGREENWAY.ORG

8.1

Town Square at Veterans' Memorial Park Project

Host Community Project Number: HCSC-17-006

Date Submitted: 8/01/2017

Host Communities Standing Committee Review Form

PROJECT SPONSOR INFORMATION:

Name: Town of Niagara

Mailing Address: 7105 Lockport Road, Niagara Falls

State: NY Zip Code: 14305

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 Square at Veterans' Memorial Park

Location: Town of Niagara

Site Address: 7000 Lockport Road, Niagara Falls

State: NY Zip Code: 14305

Minor Civil Division(s): Town of Niagara

County: Niagara

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

Veteran's Memorial Park is a Town park; therefore the Town of Niagara owns the property in interest

And is responsible for its annual operation and maintenance. SBL #131.15-1-34

AUTHORIZED OFFICIAL

Name:	<u>Lee Wallace</u>	Title:	<u>Supervisor</u>
Business Address:	<u>7105 Lockport Road, Niagara Falls</u>		
State:	<u>NY</u>	Zip Code:	<u>14305</u>
Telephone Number:	<u>716-297-2150, Ext. 136</u>	Cell Number:	<u></u>
Fax Number:	<u>716-297-9262</u>		
E-Mail Address:	<u>lwallace@townofniagara.com</u>		

PROJECT POINT OF CONTACT

Name:	<u>Lee Wallace</u>	Title:	<u>Supervisor</u>
Business Address:	<u>7105 Lockport Road, Niagara Falls</u>		
State:	<u>NY</u>	Zip Code:	<u>14305</u>
Telephone Number:	<u>716-297-2150, Ext. 136</u>	Cell Number:	<u></u>
Fax Number:	<u>716-297-9262</u>		
E-Mail Address:	<u>lwallace@townofniagara.com</u>		

If you have any questions regarding this form, please call 716-260-7554 for assistance.

TOWN OF NIAGARA
COUNTY OF NIAGARA, STATE OF NEW YORK
NIAGARA FALLS, N.Y.

7105 LOCKPORT ROAD
NIAGARA FALLS, NY 14305



PHONE: (716) 297-2150
FAX: (716) 297-9262
www.townofniagara.com

Office of the Town Clerk/Tax Collector
SYLVIA VIRTUOSO

CERTIFICATION

May 10, 2017

STATE OF New York)
COUNTY OF Niagara) SS:
TOWN OF Niagara)

I, *Sylvia Virtuoso*, Town Clerk of the Town of Niagara, New York, do hereby certify that I have compared the foregoing copy of this Resolution with the original on file in my office, and that the same is a true and correct transcript of said original Resolution and of the whole thereof, as duly adopted by the Town of Niagara Town Board at a meeting duly called and held at the Town of Niagara Town Hall on April 18, 2017 by the required and necessary vote of the members of the Town Board to approve the following Resolution:

Resolution to approve phase one of the park Master Plan (Community Square) as per the attached architectural/engineering plan for submission and presentation to the Niagara River Greenway Commission in July of 2017 in the amount of \$400,000.00.

Witness My Hand and the Official Seal of the Town of Niagara, New York this 10th day of May 2017.



Sylvia Virtuoso, Town Clerk



July 20, 2017

Lee Wallace
7105 Lockport Road
Niagara Falls, NY 14305

Dear Mr. Wallace:

The Niagara River Greenway Commission is pleased to support your project, "Town Square at Veterans' Memorial Park".

The project was deemed consistent to the Niagara River Greenway Plan as determined by the Niagara River Greenway Commission on July 18, 2017. The subjective evaluations were based on the principals, goals and criteria that define the Niagara River Greenway Plan.

The Greenway Commission offers the following recommendations:

- Ensure that there is clear and consistent signage throughout Veterans' Memorial Park that highlights the off-road trail connections to the Niagara River Greenway/Shoreline Trail.

As a reminder, the Greenway Commission provides consistency review, not funding allocation. Please review the Host Community Standing Committee Application Guidelines:
<http://www.niagarapowercoalition.com/hcsc/application-process.php>

The Commission is pleased to support your project proposal and wishes you great success.

Respectfully,

A handwritten signature in black ink, appearing to read "Jeanne A. Leccese".

Jeanne A. Leccese
Executive Director, Niagara River Greenway Commission

CC: Thomas O'Donnell, Acting Chairperson, Host Community Standing Committee
Greg Stevens, Chairman, Niagara River Greenway Commission

Niagara River Greenway Commission
3160 DeVeaux Woods Drive
Niagara Falls, New York 14305
(716) 299.0804
NIAGARAGREENWAY.ORG

9.2

HCSC 3-Year Audit – Approval of Brown & Co.

BROWN & COMPANY, LLP

CERTIFIED PUBLIC ACCOUNTANTS

July 21, 2017

Mr. Thomas O'Donnell, Chairperson & Members
Host Community Standing Committee (HCSC)
630 66th Street, Room 215
Niagara Falls, New York 14304

Dear Mr. O'Donnell:

We are pleased to confirm our understanding of the audit services we are to provide the Host Community Standing Committee (HCSC) for the period July 1, 2014 to June 30, 2017. We will audit the financial statements of the governmental activities which comprise the basic financial statements of HCSC as of and for the period July 1, 2014 to June 30, 2017. Accounting standards generally accepted in the United States of America provide for certain required supplementary information (RSI), such as management's discussion and analysis (MD&A), to supplement HCSC's basic financial statements. Such information, although not a part of the basic financial statements, is required by the Governmental Accounting Standards Board who considers it to be an essential part of financial reporting for placing the basic financial statements in an appropriate operational, economic, or historical context. As part of our engagement, we will apply certain limited procedures to HCSC's RSI in accordance with auditing standards generally accepted in the United States of America. These limited procedures will consist of inquiries of management regarding the methods of preparing the information and comparing the information for consistency with management's responses to our inquiries, the basic financial statements, and other knowledge we obtained during our audit of the basic financial statements. We will not express an opinion or provide any assurance on the information because the limited procedures do not provide us with sufficient evidence to express an opinion or provide any assurance. The following RSI is required by generally accepted accounting principles and will be subjected to certain limited procedures, but will not be audited:

1) Management's Discussion and Analysis.

We have also been engaged to report on supplementary information other than RSI that accompanies HCSC's financial statements. We will subject the following supplementary information to the auditing procedures applied in our audit of the financial statements and certain additional procedures, including comparing and reconciling such information directly to the underlying accounting and other records used to prepare the financial statements or to the financial statements themselves, and other additional procedures in accordance with auditing standards generally accepted in the United States of America, and we will provide an opinion on it in relation to the financial statements as a whole.

1) Bank Activity Summary and Balances Schedules for the period July 1, 2014 to June 30, 2017

Audit Objectives

The objective of our audit is the expression of opinions as to whether your basic financial statements are fairly presented, in all material respects, in conformity with U.S. generally accepted accounting principles and to report on the fairness of the supplementary information referred to in the second paragraph when considered in relation to the financial statements as a whole. Our audit will be conducted in accordance with auditing standards generally accepted in the United States of America and the standards for financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States, and will include tests of the accounting records of HCSC and other procedures we consider necessary to enable us to express such an opinion. We will issue a written report upon completion of our audit of HCSC's financial statements. Our report will be addressed to the management and Board Members of HCSC. We cannot provide assurance that unmodified opinions will be expressed. Circumstances may arise in which it is necessary for us to modify our opinion or add emphasis-of-matter or other-matter paragraphs. If our opinion on the financial statements is other than unmodified, we will discuss the reasons with you in advance. If, for any reason, we are unable to complete the audit or are unable to form or have not formed opinions, we may decline to express opinions or to issue a report, or may withdraw from this engagement.

We will also provide a report (that does not include an opinion) on internal control related to the financial statements and compliance with the provisions of laws, regulations, and contracts or grant agreements, noncompliance with which could have a material effect on the financial statements as required by *Government Auditing Standards*. The report on internal control and compliance and other matters will include a paragraph that states The report on internal control and on compliance and other matters will include a paragraph that states (1) that the purpose of the report is solely to describe the scope of testing of internal control and compliance, and the results of that testing, and not to provide an opinion on the effectiveness of the entity's internal control on compliance, and (2) that the report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering the entity's internal control and compliance. The paragraph will also state that the report is not suitable for any other purpose. If during our audit we become aware that HCSC is subject to an audit requirement that is not encompassed in the terms of this engagement, we will communicate to management and those charged with governance that an audit in accordance with U.S. generally accepted auditing standards and the standards for financial audits contained in *Government Auditing Standards* may not satisfy the relevant legal, regulatory, or contractual requirements.

Management Responsibilities

Management is responsible for the financial statements and all accompanying information as well as all representations contained therein. As part of the audit, we will assist with preparation of your financial statements and related notes. These nonaudit services do not constitute an audit under *Government Auditing Standards* and such services will not be conducted in accordance with *Government Auditing Standards*. You agree to assume all management responsibilities relating to the financial statements and related notes and any other nonaudit services we provide. You will be required to acknowledge in the management representation letter our assistance with preparation of the financial statements and related notes and that you have reviewed and approved the financial statements and related notes prior to their issuance and have accepted responsibility for them. Further, you agree to oversee the nonaudit services by designating an individual, preferably from senior management, who possesses suitable skill, knowledge, or experience; evaluate the adequacy and results of those services; and accept responsibility for them.

Management is responsible for establishing and maintaining effective internal controls, including evaluating and monitoring ongoing activities, to help ensure that appropriate goals and objectives are met; following laws and regulations; and ensuring that management is reliable and financial information is reliable and properly reported. Management is also responsible for implementing systems designed to achieve compliance with applicable laws, regulations, contracts, and grant agreements. You are also responsible for the selection and application of accounting principles, for the preparation and fair presentation of the financial statements in conformity with U.S. generally accepted accounting principles, and for compliance with applicable laws and regulations and the provisions of contracts and grant agreements.

Management is also responsible for making all financial records and related information available to us and for the accuracy and completeness of that information. You are also responsible for providing us with (1) access to all information of which you are aware that is relevant to the preparation and fair presentation of the financial statements, (2) additional information that we may request for the purpose of the audit, and (3) unrestricted access to persons within the government from whom we determine it necessary to obtain audit evidence.

Your responsibilities include adjusting the financial statements to correct material misstatements and for confirming to us in the written representation letter that the effects of any uncorrected misstatements aggregated by us during the current engagement and pertaining to the latest period presented are immaterial, both individually and in the aggregate, to the financial statements taken as a whole.

You are responsible for the design and implementation of programs and controls to prevent and detect fraud, and for informing us about all known or suspected fraud affecting the government involving (1) management, (2) employees who have significant roles in internal control, and (3) others where the fraud could have a material effect on the financial statements. Your responsibilities include informing us of your knowledge of any allegations of fraud or suspected fraud affecting the government received in communications from employees, former employees, grantors, regulators, or others. In addition, you are responsible for identifying and ensuring that the government complies with applicable laws, regulations, contracts, agreements, and grants and for taking timely

and appropriate steps to remedy fraud and noncompliance with provisions of laws, regulations, and contracts or grant agreements, or abuse that we report.

You are responsible for the preparation of the supplementary information in conformity with U.S. generally accepted accounting principles. You agree to include our report on the supplementary information in any document that contains and indicates that we have reported on the supplementary information. You also agree to [include the audited financial statements with any presentation of the supplementary information that includes our report thereon OR make the audited financial statements readily available to users of the supplementary information no later than the date the supplementary information is issued with our report thereon]. Your responsibilities include acknowledging to us in the written representation letter that (1) you are responsible for presentation of the supplementary information in accordance with GAAP; (2) you believe the supplementary information, including its form and content, is fairly presented in accordance with GAAP; (3) the methods of measurement or presentation have not changed from those used in the prior period (or, if they have changed, the reasons for such changes); and (4) you have disclosed to us any significant assumptions or interpretations underlying the measurement or presentation of the supplementary information.

Management is responsible for establishing and maintaining a process for tracking the status of audit findings and recommendations. Management is also responsible for identifying for us previous financial audits, attestation engagements, performance audits or other studies related to the objectives discussed in the Audit Objectives section of this letter. This responsibility includes relaying to us corrective actions taken to address significant findings and recommendations resulting from those audits, attestation engagements, performance audits, or other studies. You are also responsible for providing management's views on our current findings, conclusions, and recommendations, as well as your planned corrective actions, for the report, and for the timing and format for providing that information.

Audit Procedures—General

An audit includes examining, on a test basis, evidence supporting the amounts and disclosures in the financial statements; therefore, our audit will involve judgment about the number of transactions to be examined and the areas to be tested. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluating the overall presentation of the financial statements. We will plan and perform the audit to obtain reasonable rather than absolute assurance about whether the financial statements are free of material misstatement, whether from (1) errors, (2) fraudulent financial reporting, (3) misappropriation of assets, or (4) violations of laws or governmental regulations that are attributable to the government or to acts by management or employees acting on behalf of the government. Because the determination of abuse is subjective, *Government Auditing Standards* do not expect auditors to provide reasonable assurance of detecting abuse.

Because of the inherent limitations of an audit, combined with the inherent limitations of internal control, and because we will not perform a detailed examination of all transactions, there is a risk that material misstatements may exist and not be detected by us, even though the audit is properly planned and performed in accordance with U.S. generally accepted auditing standards and *Government Auditing Standards*. In addition, an audit is not designed to detect immaterial misstatements or violations of laws or governmental regulations that do not have a direct and material effect on the financial statements. However, we will inform the appropriate level of management of any material errors, any fraudulent financial reporting, or misappropriation of assets that come to our attention. Our responsibility as auditors are limited to the period covered by our audit and does not extend to later periods for which we are not engaged as auditors.

Our procedures will include tests of documentary evidence supporting the transactions recorded in the accounts, and may include tests. We will request written representations from your attorneys as part of the engagement, and they may bill you for responding to this inquiry. At the conclusion of our audit, we will require certain written representations from you about your responsibilities for the financial statements; compliance with laws, regulations, contracts, and grant agreements; and other responsibilities required by generally accepted auditing standards.

Audit Procedures—Internal Controls

Our audit will include obtaining an understanding of the government and its environment, including internal control, sufficient to assess the risks of material misstatement of the financial statements and to design the nature, timing, and extent of further audit procedures.^{hh} Tests of controls may be performed to test the effectiveness of certain controls that we consider relevant to preventing and detecting errors and fraud that are material to the financial statements and to preventing and detecting misstatements resulting from illegal acts and other noncompliance matters that have a direct and material effect on the financial statements. Our tests, if performed, will be less in scope than would be necessary to render an opinion on internal control and, accordingly, no opinion will be expressed in our report on internal control issued pursuant to *Government Auditing Standards*.

An audit is not designed to provide assurance on internal control or to identify significant deficiencies or material weaknesses. However, during the audit, we will communicate to management and those charged with governance internal control related matters that are required to be communicated under AICPA professional standards and *Government Auditing Standards*.

Audit Procedures—Compliance

As part of obtaining reasonable assurance about whether the financial statements are free of material misstatement, we will perform tests of the HCSC's compliance with the provisions of applicable laws, regulations, contracts, agreements, and grants. However, the objective of our audit will not be to provide an opinion on overall compliance and we will not express such an opinion in our report on compliance issued pursuant to *Government Auditing Standards*.

Engagement Administration, Fees, and Other

We understand that your employees will prepare all cash or other confirmations we request and will locate any documents selected by us for testing.

We will provide copies of our reports to the HSCS; however, management is responsible for distribution of the reports and the financial statements. Unless restricted by law or regulation, or containing privileged and confidential information, copies of our reports are to be made available for public inspection.

The audit documentation for this engagement is the property of Brown & Company, LLP and constitutes confidential information. However, pursuant to authority given by law or regulation, we may be requested to make certain audit documentation available to New York Power Authority or its designee, a federal agency providing direct or indirect funding, or the U.S. Government Accountability Office for purposes of a quality review of the audit, to resolve audit findings, or to carry out oversight responsibilities. We will notify you of any such request. If requested, access to such audit documentation will be provided under the supervision of Brown & Company, LLP personnel. Furthermore, upon request, we may provide copies of selected audit documentation to the aforementioned parties. These parties may intend, or decide, to distribute the copies or information contained therein to others, including other governmental agencies.

The audit documentation for this engagement will be retained for a minimum of five years after the report release date or for any additional period requested by the New York Power Authority. If we are aware that a federal awarding agency or auditee is contesting an audit finding, we will contact the party (ies) contesting the audit finding for guidance prior to destroying the audit documentation.

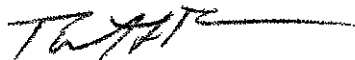
We anticipate issuing our report within ninety (90) days of receipt of this signed letter. Patrick D. Brown is the engagement partner and is responsible for supervising the engagement and signing the reports or authorizing another individual to sign them. Our fee for these services will be at our standard hourly rates plus out-of-pocket costs (such as report reproduction, word processing, postage, travel, copies, telephone, etc.) except that we agree that our gross fee, including expenses, will be \$4,100. Our standard hourly rates vary according to the degree of responsibility involved and the experience level of the personnel assigned to your audit. Our invoices for these fees will be rendered as work progresses and are payable on presentation. If we elect to terminate our services for nonpayment, our engagement will be deemed to have been completed upon written notification of termination, even if we have not completed our report. You will be obligated to compensate us for all time

expended and to reimburse us for all out-of-pocket costs through the date of termination. The above fee is based on anticipated cooperation from your personnel and the assumption that unexpected circumstances will not be encountered during the audit. If significant additional time is necessary, we will discuss it with you and arrive at a new fee estimate before we incur the additional costs.

Government Auditing Standards require that we provide you with a copy of our most recent external peer review report and any letter of comment, and any subsequent peer review reports and letters of comment received during the period of the contract. Our 2015 peer review accompanies this letter.

We appreciate the opportunity to be of service to the HCSC and believe this letter accurately summarizes the significant terms of our engagement. If you have any questions, please let us know. If you agree with the terms of our engagement as described in this letter, please sign the enclosed copy and return it to us.

Very truly yours,
BROWN & COMPANY, LLP



Patrick D. Brown, CPA
Partner

RESPONSE:

This letter correctly sets forth the understanding of the Host Community Standing Committee.

Mary Melloni as Management representative

Title: _____

Date: _____

Thomas O'Donnell, Chairperson representing Governance

Date: _____



CERTIFIED PUBLIC ACCOUNTANTS
BUSINESS CONSULTANTS

SYSTEM REVIEW REPORT

To the Partners of Brown & Company, LLP and the Peer Review Committee of the New York State Society of Certified Public Accountants

We have reviewed the system of quality control for the accounting and auditing practice of Brown & Company, LLP (the firm) in effect for the year ended August 31, 2015. Our peer review was conducted in accordance with the Standards for Performing and Reporting on Peer Reviews established by the Peer Review Board of the American Institute of Certified Public Accountants. As a part of our peer review, we considered reviews by regulatory entities, if applicable, in determining the nature and extent of our procedures. The firm is responsible for designing a system of quality control and complying with it to provide the firm with reasonable assurance of performing and reporting in conformity with applicable professional standards in all material respects. Our responsibility is to express an opinion on the design of the system of quality control and the firm's compliance therewith based on our review. The nature, objectives, scope, limitations of, and the procedures performed in a System Review are described in the standards at www.aicpa.org/prsummary.

As required by the standards, engagements selected for review included an engagement performed under *Government Auditing Standards*.

In our opinion, the system of quality control for the accounting and auditing practice of Brown & Company, LLP in effect for the year ended August 31, 2015, has been suitably designed and complied with to provide the firm with reasonable assurance of performing and reporting in conformity with applicable professional standards in all material respects. Firms can receive a rating of *pass*, *pass with deficiency (ies)* or *fail*. Brown & Company, LLP has received a peer review rating of *pass*.

Sclarabba Walker & Co. LLP

Sciarabba Walker & Co., LLP
Ithaca, NY

January 28, 2016

BROWN & COMPANY, LLP

CERTIFIED PUBLIC ACCOUNTANTS

July 21, 2017

Mr. Thomas O'Donnell, Chairperson and Members
Host Community Standing Committee (HCSC)
630 66th Street, Room 215
Niagara Falls, New York 14304

Dear Mr. O'Donnell:

This letter serves to confirm our understanding with respect to the agreed-upon procedures we will perform for the HCSC (Greenway Recreation/Tourism Fund) as referenced in Section 7 of the Host Community Relicensing Settlement Agreement addressing Non License Terms and Conditions dated June 27, 2005 (HCRSA) and Standing Committee Protocol approved May 28, 2008 (SCP) for the period commencing July 1, 2014 and ending June 30, 2017.

We will perform our procedures in accordance with attestation standards established by the American Institute of Certified Public Accountants (AICPA) to determine that projects and funds were properly approved and disbursed in a reasonably consistent manner in accordance with the HCSC's controlling documents being the Host Community Relicensing Settlement Agreement addressing Non License Terms and Conditions dated June 27, 2005 and Standing Committee Protocol (approved May 28, 2008 pursuant to "Host Community Relicensing Settlement Agreement Addressing Non-License Terms and Conditions dated June 27, 2005"). These controlling documents were attached as items one and two respectively to the Request For Proposals-Accounting Services dated October 21, 2014 from the HCSC. The HCSC is responsible for the sufficiency of the controlling documents.

The sufficiency of the procedures outlined below are solely the responsibility of the HCSC; consequently, we make no representation regarding the sufficiency of the procedures described below either for the purpose for which this report has been requested or for any other purpose. We plan on issuing an "Independent Accountant's Report on Applying Agreed-Upon Procedures" within sixty (60) days from date of receipt of this signed engagement letter enumerating the procedures performed and any findings but we are prohibited from providing an opinion as in an audit because the agreed-upon procedures do not constitute an audit as defined under Generally Accepted Accounting Principles. If, for any reason, we are unable to complete the procedures, we will describe any restrictions on the performance of the procedures in our report, or will not issue a report as a result of this engagement.

- A) Obtain and review all meeting minutes of the HCSC for the period July 1, 2014 -June 30, 2017 which will assist in all procedures referenced below in B-E.

- B) In reference to section 7.4 Administrative Costs of the Host Community Relicensing Settlement Agreement addressing Non License Terms and Conditions dated June 27, 2005 we will schedule out and review all such expenditures for compliance. Checks signed by Chair of HCSC and one member of Finance Committee.
- C) We will obtain the annual reports as referenced in section 7.5 of the Host Community Relicensing Settlement Agreement addressing Non License Terms and Conditions dated June 27, 2005 and determine it was submitted within sixty (60) days and it includes:
 - 1) Summary of all active projects funded;
 - 2) Project by project listing of all expenditures from the Host Community Fund during previous fiscal year;
 - 3) Detailed listing of all planned expenditures during current fiscal year in which report is issued;
 - 4) An updated balance sheet for the Host Committee Greenway Fund, which includes Host Community Greenway Fund expenditures, administrative expenses and accrued interest;
 - 5) A summary of significant correspondence with the Niagara River Greenway Commission.
- D) In reference to the annual payment of \$3,000,000 from the New York Power Authority, we will:
 - 1) Verify annual receipt of funds in HCSC bank clearing account by July 1;
 - 2) Verify bank transfer of funds to respective Host Communities' fund bank accounts "as soon as practical" (for this purpose defined as two weeks) and pursuant to percentage allocations per section 4.3 HCSC's controlling documents being the Host Community Relicensing Settlement Agreement addressing Non License Terms and Conditions dated June 27, 2005 (HCRSA).
- E) Regarding the twenty four (24) approved projects for the period July 1, 2014 thru June 30, 2017 and eight (8) previously approved projects we will perform the following procedures for each one and our report will list the procedure performed, consistency/non consistency with controlling documents by performing the following:
 - 1) Agreement to Summary of Active projects Report;
 - 2) Verify written documentation exists (section 7.3 of the HCRSA):
 - a) Evidencing consultation with Greenway Commission and respective municipality elected officials;
 - b) Setting forth an operations and maintenance plan;
 - c) Qualifying project costs (SCP page 9)
 - 3) Verify compliance to Consistency Determination as referenced in the Standing Committee Protocol document approved 5/28/08 (SCP) page 3
 - a) Five (5) members vote approving project deems it consistent with Greenway Plan
 - 4) Selection and Funding documentation by HCSC (SCP page 4)

Mr. Thomas O'Donnell
July 21, 2017 Agreed-Upon Procedures Engagement Letter
Page 3

E) continued

- 5) Release of Funds (SCP page 8)
 - a) Properly authorized/signed by Host Community sponsor from its Host Community Fund Account;
 - b) Funds released within thirty (30) days of approval, selection and funding

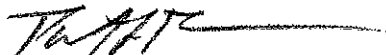
At the conclusion of the engagement, you agree to supply us with a representation letter that will confirm HCSC's responsibility for the sufficiency of the procedures performed.

Our report issued at the conclusion of the agreed-upon procedures work and within ninety (90) days of receipt of this signed engagement letter is intended solely for the use of the Host Community Standing Committee (HCSC) and should not be used by anyone other than these specified parties. Our report will contain a paragraph indicating that had we performed additional procedures under Generally Accepted Accounting Principles, other matters might have come to our attention that would have been reported to you. We have no responsibility to update our report for events and circumstances occurring after the date of our report; the distribution of our report is to be limited to the HCSC.

Our fee for the agreed-upon procedures is \$2,500. If this letter meets with your approval, please sign one copy and return it to us.

We appreciate the opportunity to be of service to you.

Very truly yours,
BROWN & COMPANY, LLP



Patrick D. Brown, CPA

Response

This letter correctly sets forth the understanding of the Host Community Standing Committee.

Thomas O'Donnell
Chairperson HCSC

Date

9.3

Key Bank Resolution

HOST COMMUNITY STANDING COMMITTEE

NIAGARA COUNTY . CITY OF NIAGARA FALLS . TOWN OF LEWISTON . TOWN OF NIAGARA
CITY OF NIAGARA FALLS SCHOOL DISTRICT . NIAGARA-WHEATFIELD CENTRAL SCHOOL DISTRICT .
LEWISTON PORTER CENTRAL SCHOOL DISTRICT . NEW YORK POWER AUTHORITY

HOST COMMUNITY STANDING COMMITTEE RESOLUTION August 1, 2017

WHEREAS, on August 1, 2017 the Host Community Standing Committee elected new Officers for the calendar year 2017 – 2018, and

WHEREAS, the Host Community Standing Committee identifies the Chairperson and Vice Chairperson as signatories on Key Bank Account No. 822826178, and

Now, therefore be resolved by the Host Community Standing Committee:

Appoints Thomas O'Donnell, Chairperson and Lee Wallace, Vice Chairperson as signatories on Key Bank Account No. 822826178.

CERTIFICATE:

The undersigned, duly qualified and acting Secretary of the Host Community Standing Committee, certifies that the foregoing is a true and correct copy of a resolution adopted at a legally convened meeting of the Host Community Standing Committee.

Date: _____

By: _____

Mary P. Melloni, Secretary
Host Community Standing Committee

630-66th Street
Room 215
Niagara Falls, NY 14304

PHONE (716) 260-7554
E-MAIL NIAGPOWER2014@GMAIL.COM

www.niagarapowercoalition.com

9.4

Minutes of July 18, 2017

NRGC Minutes

(Informational Only)

MEMORANDUM

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

FROM: Benjamin J. Bidell, Senior Planner, Niagara County Dept. of Economic Development

DATE: July 20, 2017

RE: **Niagara River Greenway Commission meeting held July 18, 2017**

The Niagara River Greenway Commission (NRGC) met at 3:00 pm in the Beaver Island State Park Clubhouse in Grand Island. The following Commission members were in attendance:

- Greg Stevens, Chairman
- Richard Soluri, Vice Chairman
- Mary Cooke, Commissioner
- Sam Magavern, Commissioner
- Lou Paonessa for New York Power Authority (NYPA)
- Mark Thomas for NYS Office of Parks, Recreation, and Historic Preservation (OPRHP)
- Ron Hayes for NYS Department of Transportation (DOT)
- Angela Rossi for Empire State Development (ESD)

Greenway Commission Executive Director Jeanne Leccese was also present. Commissioners Sean Edward and Joe Emminger and the NYS Department of State (DOS) were absent. NYS Department of Environmental Conservation (DEC) was represented by proxy. There were approximately 10 people at the meeting including project sponsors and members of the public. The meeting agenda is attached.

Announcements:

- Chairman Stevens announced a proposal to shift from six meetings per year to just four with all Greenway Commission members and state agency representatives attending the Executive Committee meeting prior to the full board meeting.
- Executive Director Leccese reminded Commission members the 12th Annual Paddles Up Niagara event will take place on July 29th at Beaver Island State Park. There will be a variety of paddle events, demonstrations, and vendors. It is also an official Toyota SPLASH event, which supports local waterkeeper organizations and encourages water-based recreational activities.
- Chairman Stevens said progress is being made on developing a volunteer corps that will assist in the care and maintenance of the Niagara River Greenway. He said there are a number of foundations, businesses, and clubs interested in participating.
- Ms. Rossi reminded attendees that the deadline for State funding through the Consolidated Funding Application process is July 28th.

Public Comments (agenda items):

Jo Johnson from Buffalo Niagara Riverkeeper provided comments on behalf of the Niagara Relicensing Environmental Coalition (NREC). She said NREC finds all three projects on the agenda consistent with the Niagara River Greenway Plan. NREC suggested the Morgan Lewis Bust project in the Village of Lewiston include more ecological components, but did not provide specifics. NREC suggested the Discover Niagara Shuttle be used to promote ecotourism opportunities through docents, brochures, and other means. It was further suggested electric buses be used for the shuttle service. NREC suggested the Town Square project at Veteran's Memorial Park in the Town of Niagara incorporate ecological components such as a pollinator garden, bioswales for filtering stormwater, and permeable pavement.

Project Review and Vote:

Town of Lewiston - Morgan Lewis Bust. Bernie Rotella, Grant Writer for the Town of Lewiston, was present to give an overview of the project and answer questions from the board. This project involves a request by the Town of Lewiston to use \$33,850 from its share of Greenway funding through the Host Communities Standing Committee to commission and install a bronze bust of Village of Lewiston namesake Morgan Lewis who was a prominent American lawyer, politician, and military commander who fought in both the Revolutionary War and the War of 1812 and served as the third Governor of New York State, among many other prominent positions. The bust will be installed in the International Peace Garden located at 476 Center Street in the Village. Chairman Stevens asked about connectivity between Greenway-funded projects in Lewiston. Mr. Rotella said the Piper Law Office historic building near the entrance to the Village serves as a welcome center and helps orient visitors. Mr. Soluri asked about connections to historical tours and Mr. Rotella said the project will factor prominently in historical tours and will be an important asset in educating visitors, residents, and students alike. The project was voted consistent with the Greenway Plan by a majority vote with dissenting votes by Commissioner Magavern and the DEC.

Town of Lewiston - Discover Niagara Shuttle Bernie Rotella, Grant Writer for the Town of Lewiston, was present to give an overview of the project and answer questions from the board. This project involves a request by the Town of Lewiston to contribute \$50,000 from its share of Greenway funding through the Host Communities Standing Committee to the operation of the Discover Niagara Shuttle service, which is a bus trolley linking numerous attractions along the Lower Niagara River. Mr. Rotella said 33,000 riders used the shuttle service in 2016, which has experienced a 33% increase in ridership in 2017 to date. He said partner businesses are promoted through the shuttle service and there is interest in expanding service to other parts of the county such as the Niagara Wine Trail. There are four trolleys in the fleet and an app can be used to track their location. There are also bike racks for cyclists. The Discover Niagara Shuttle is operated by Niagara Majestic Tours under contract with Niagara Falls National Heritage Area, Inc. The shuttle service is in its second year of a two-year pilot operation. Tom DeSantis, Director of Planning and Development for the City of Niagara Falls, chimed in saying the pilot will help understand operating costs and how best to monetize the shuttle service beyond the two-year pilot period, which might include additional partner contributions and collections through a farebox or online ticketing system. Commissioner Soluri commented the shuttle service promotes the entire Greenway along the Lower Niagara River. Mr. Hayes indicated the project could be eligible for funding through a Federal Transit Administration program utilized by other public transportation agencies in the region, which will be available again in 2019. Mr. Rotella said while this is a request for operating funds, it will not be a recurring request. Chairman Stevens commented on the need to look at opportunities to promote Greenway ecological assets through the shuttle service. Mr. DeSantis said the shuttle stops at the Stella Niagara Preserve. The project was unanimously voted consistent with the Greenway Plan with a comment by NYPA cautioning the use of Greenway funds for operations and maintenance expenses.

Town of Niagara - Town Square at Veterans' Memorial Park. Bernie Rotella, Grant Writer for the Town of Niagara, was present to give an overview of the project and answer questions from the Commission. This project involves a request by the Town of Niagara to use approximately \$400,000 from its share of Greenway funding through the Host Communities Standing Committee to make improvements to Veterans' Memorial Park in the Town of Niagara. The Town will contribute \$247,000 to the project. Improvements include construction of a landscaped plaza featuring a clock tower and pavilion with seating and firepits as well as a new restroom building. The project will complement recent improvements to the park, which include construction of a veterans memorial and splash pad, as well as existing ball fields and trails. Mr. Rotella said the park hosts numerous town-sponsored events and activities including a summer concert series and Christmas light display. He called it a destination location and said the Town would like to promote it as a potential trolley stop. Town Supervisor Lee Wallace said the Town has no "Main Street." The closest thing is Military Road, which he called "a highway," so the Town is trying to create a "Main Street" and town center through its Town park. Mr. Hayes asked about signage, which is also part of the project, and Mr. Rotella said the Town is putting Greenway signage on all Greenway-funded projects including way-finding signage to nearby attractions. Commissioner Magavern asked how pedestrians and bicyclists would get to other parts of the Greenway and suggested it should be shown in the application. Supervisor Wallace said there are connecting paths to Reservoir State Park, but users still need to cross major roadways. Commissioner Soluri commented the Town negotiated for Greenway funds and has been using them prudently to expand its recreational offerings. Chairman Stevens commented he thinks this is a great park, but the Commission has to examine the project through the lens of the Niagara River Greenway. He said he wants to see more ecological components and Greenway connections as part of the project. The project was voted consistent with the Greenway Plan by a majority vote with dissenting votes by Chairman Stevens, Commissioner Magavern, and the DEC.

New Business:

No new business was discussed.

Public Comments (open topics):

There were no public comments on open topics.

Next Meeting:

The next Greenway Commission meeting is scheduled for Tuesday, September 18, 2017 at 3:00 pm. The Executive Committee will meet beforehand at 2:00 pm. The meeting location is to-be-determined.



76th Niagara River Greenway Commission Meeting

Tuesday, July 18, 2017

3:00 p.m.

Beaver Island State Park, Grand Island

- 1. Call to order:** *Chairman Stevens*
 - a. Roll Call
- 2. Review and approval of minutes:** *Chairman Stevens*
- 3. Financial Report:** *Sean Edwards, Treasurer*
- 4. Announcements**
 - a. Executive Director
 - b. Greenway Commission Members
- 5. Public Comment:** *Current Agenda Items Only (3 minute limit)*
- 6. Project Review and Vote:** *Full Commission (Presentations limited to 7 minutes)*
 - a. Morgan Lewis Bust Project, Lewiston
 - b. Discover Niagara Shuttle Project, Lewiston
 - c. Town Square at Veterans' Memorial Park, Niagara
- 7. New Business**
- 8. Public Comment:** *Open Topics (3 minute limit)*
- 9. Adjourn**

Next Niagara River Greenway Commission Meeting:

Tuesday, September 19, 2017

Woodlawn State Park

1. The first part of the report is a general introduction to the subject.

2. The second part is a detailed description of the methods used in the study.

3. The third part is a discussion of the results of the study.

4. The fourth part is a conclusion of the study.

5. The fifth part is a list of references.

6. The sixth part is a list of appendices.

7. The seventh part is a list of figures.

8. The eighth part is a list of tables.

9. The ninth part is a list of footnotes.

10. The tenth part is a list of symbols.

11. The eleventh part is a list of abbreviations.

12.

13.

14.

15.

16.

17.