

**HOST COMMUNITIES
STANDING COMMITTEE MEETING MINUTES
Tuesday, March 19, 2024 – 12:00 p.m.
Town of Niagara Community Center
7000 Lockport Road, Niagara Falls NY**

Representatives Present:

Lee Wallace, Supervisor, CHAIRPERSON	Town of Niagara
Mark Laurrie	Niagara Falls City School District
Paul Casseri, Superintendent	Lewiston Porter School District
Lou Paonessa	New York Power Authority
Thomas Burgasser, Esq.	Niagara County
Scott Hapeman, Esq.	Niagara Wheatfield School District
Steve Broderick, Supervisor	Town of Lewiston
Robert M. Restaino, Mayor, VICE CHAIRPERSON	City of Niagara Falls

Alternates/Guests:

Jackie Siegmann, Treasurer	Town of Niagara
Robert Creenoin	Niagara Gazette
Terry Duffy	Niagara Frontier Publications
Lisa Vitello	Niagara River Greenway Commission
Greg Stevens	Niagara River Greenway Commission

Staff Present:

Mary Melloni, Secretary
Stan Widger, Esq., NPC Counsel, Nixon Peabody

1.0 Call to Order

Chairperson Wallace called the Host Communities Standing Committee meeting to order at 12:05 p.m.

2.0 Roll Call

Ms. Melloni called the roll.

3.0 Pledge of Allegiance

4.0 Introductions

5.0 Approval of Meeting Minutes of November 21, 2023 Meeting

Mr. Restaino made a motion, seconded by Mr. Casseri, to approve the meeting minutes of November 21, 2023. Motion carried.

6.0 Town of Lewiston

**6.1 Academy Park Community Pavilion – S. Broderick
(Consultation with NRGC on January 9, 2024; Approved for funding in the amount of \$190,000 by the Town of Lewiston)**

Mr. Broderick explained that the Village of Lewiston is proposing to construct a community-use pavilion in Academy Park. The Village is requesting \$190,000 in Greenway funds to meet the cost of approximately \$350,000 in total. A local architect has donated their services and local residents have donated \$120,000 toward the project to date. The project complements recent and pending improvements to Academy Park, including trail improvements funded by Greenway funds and the NYSDOT, a multimodal hub at Center and 9th Streets funded by the NYSDOT, and relocation of the park bandshell which was relocated in anticipation of a future pavilion. Mr. Broderick stated that he is in favor of the project.

6.0 Town of Lewiston

6.1 Academy Park Community Pavilion (Continued...)

Mr. Widger stated that this project meets all procedural requirements.

Mr. Laurrie made a motion to approve the Academy Park Community Pavilion project in the amount of \$190,000. Mr. Burgasser seconded the motion.

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.

**6.2 Riverfront Park (formerly Lewiston Park Project) – S. Broderick
(Consultation with NRGC on September 18, 2018; Approved for funding in the amount of \$700,000 by the HCSC on September 25, 2018; Requesting additional funding in the amount of \$1,460,000)**

Mr. Broderick explained that in 2018 the Town made a presentation to the Niagara River Greenway Commission for the Lower River Road Park for parking, a pavilion, roadway and \$400,000 in improvements to their ____ building. They are now moving on to Phase II of the project which will include a kayak launch, a fishing pier, boardwalk and handicapped accessible ramp. Originally plans called for three pavilions; however, to keep it simple it was decided to only go with two pavilions. The new pavilion is approximately \$600,000; \$200,000 for the kayak launch; \$500,000 for the boardwalk, miscellaneous (benches, etc.) approximately \$100,000 and \$60,000 for engineering. Therefore, the request today is for \$1.46 million.

Mr. Widger stated that this project meets all procedural requirements.

Mr. Restaino made a motion to approve the Riverfront Park project in the amount of \$1,460,000. Mr. Burgasser seconded the motion.

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 Niagara County

**7.1 Wheatfield Lions Nature Trail & Fishing Pond) – T. Burgasser
(Consultation with NRCG on March 8, 2022; Approved for funding in the amount of \$115,000 by the HCSC on June 14, 2022; Requesting a redirection of funds in the amount of \$17,000)**

Mr. Burgasser stated that this is a request to redirect some funds that were originally to be used for amusement rides; however, there were fewer amusement rides than anticipated so it is requested that the balance of \$17,000 be used for fencing around the pond and bridges and gates as this is a safety factor. Fairmont Park is putting in children’s amusement rides that will be in close proximity.

Mr. Widger stated that this project meets all procedural requirements.

Mr. Restaino made a motion to approve the Riverfront Park project in the amount of \$1,460,000. Mr. Burgasser seconded the motion.

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.

8.0 Amendment to HCSC Protocols (Reference Page 8) – S. Widger

Mr. Widger explained that this refers to the item “Release of Funds,” in the Host Community Protocols. It was pointed out by our Auditors that the protocols refer to the issuing of paper checks and to keep pace with the digital/electronic systems in use and required by our current banking institution, it is necessary to modify the language to allow for digital authorizations for the release of funds. It was also pointed out that that the protocols currently say the funds must be withdrawn within 30 days. It is suggested that the language be revised to read funds will be available, without a predetermined period of time. Mr. Widger stated he will strike the word “release” and substitute “available for release.”

Mr. Hapeman made a motion, seconded by Mr. Laurrie, to accept the amendments to the protocol as stated.

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>

Motion passed.

9.0 HCSC 3-Year Audit Presentation – S. Dayton, Lumsden McCormick

Sara Dayton explained that the HCSC is required to have an audit every three years of the Schedule of Funds Available and Schedule of Use of Funds. She stated that they issued a clean opinion, properly presented. The audit covers the period of July 1, 2020 through June 30, 2023.

The Schedule of Funds Available in accordance with the agreement. Cash at the end of June was approximately \$9.6 million; most of that was restricted for the Host Communities. A small amount (\$44,000) available for administrative expenses. Included in the \$9.6 million is \$3 million that was received prior to year end.

The income statement shows three payments of \$3 million received from the NY Power Authority during that time frame. Some unspent project funds were returned by Host Communities in the amount of \$135,000. Interest income earned in the amount of \$63,000. Just over \$8 million was used for projects that were approved by the Committee and a small amount of bank fees. Therefore the change in funds available is an increase of just under \$1.2 million for that three-year period, going from \$8.4 million in funds available to just under \$9.6 million as of June 30, 2023.

Notes to the Schedule include significant accounting policies; allocation to the 7 members and allocation of funds to each member as of June 30, 2023. It also shows the amounts coming into the main accounts and then being distributed to the individual HC accounts. Pages 7, 8, 9 show all bank transmission during the three year time frame.

Ms. Dayton stated they also applied some Agreed Upon Procedures in accordance with the Relicensing Agreement. They looked to see that administrative expenses are paid and there were no exceptions relative to that. That Annual Reports were filed within 60 days. These were filed in about 90 days for each of those periods so filing dates were noted. They also did a full review of the process, expenditures; that everything was updated and there were no issues. They looked at the date of the annual payments of \$3 million which is suppose to be on July 1st; one year it was July 6th. They selected 9 out of 25 project files and looked at all the approvals. Of the 9 files, 7 of them did not release funds within that 30-day period. Editing the language in the protocol will take care of this issue in the future. The other issue was the change in the procedures to electronic payments and this is also being addressed by amending the protocols. Their comments have been addressed and corrected.

Mr. Broderick made a motion, seconded by Mr. Hapeman to accept the audit.

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>

Motion passed.

10.0 Any other Matters – there were no other matters to be discussed.

11.0 Next Meeting: June 18, 2024

12.0 Adjournment

A motion was made to adjourn by Mr. Laurrie, seconded by Mr. Hapeman. Meeting adjourned at 12:33 p.m.

Respectfully submitted,

Mary P. Melloni

Mary P. Melloni
Recording Secretary