

Minutes of the Executive Committee
Of the
Niagara River Greenway Commission
Beaver Island State Park
May 20, 2008 @ 1:30 p.m.

The meeting was called to order by Commission Chairman Robert Kresse at 1:38 p.m. and the roll was called by the Secretary Paul Leuchner. A quorum of members was present.

Attendees: Robert Kresse, Commission Chairman
Richard Soluri, Vice-Chair
Paul Leuchner, Commission Secretary
John Giardino, Commission Treasurer
Paul Dyster, Commissioner
Ron Pillozzi, Commissioner
Rene Parsons, NYS DOS
Mark Thomas, NYSOPRHP
Rob Belue, Executive Director, Niagara River Greenway Commission

Members of the Public:

Rob Daly, NYPA
Ben Bidell, Niagara County Economic Development
Angela Berti, NYS Office of Parks, Recreation and Historic Preservation
Harvey Albond, Town Of Wheatfield
Donald Smith
Thomas Frank

Review and Approval of Minutes

The minutes of the April 18, 2008 meeting were reviewed. A motion to approve the minutes was made by Paul Dyster and seconded by Mark Thomas. The minutes were approved unanimously as submitted.

Committee Reports

Financial Report

Presentation of the Financial Report was deferred to the Niagara River Greenway Commission meeting that immediately followed the Executive Committee session.

Funding Update

Chairman Kresse reported on his conversations with State Senators Maziarz and Rath and Assembly member Hoyt. At this point funding for the Niagara River Greenway Commission is not a legislative matter since the state budget has been adopted. However, both the Senate and Assembly have funds that could be used to support the work of the Commission. Other potential sources of funding such as contributions from the established standing committees were discussed and

Chairman Kresse considered appointing a committee to identify and engage possible supporters. The status of protocols under development by several of the standing committees was also discussed.

Comments From the Executive Director

Executive Director Rob Belue reported on the first meeting of the Buffalo and Erie County Greenway Fund Standing Committee that was held at 6:00 pm on May 14, 2008 in the Casino at Delaware Park. At that meeting the draft Grant Guidelines and Application protocol document was adopted without amendment. The first round of projects must be submitted to the standing committee by June 16, 2008. The next meeting of this standing committee is scheduled for July 15, 2008

Consistency Review Procedures

Executive Director Rob Belue reported that he had met with Commissioners Ron Pillozzi, Paul Dyster and Paul Leuchner to discuss the matrix that was being used for projects that were currently before the Niagara River Greenway Commission for consistency review. There was agreement that the matrix was too complicated and time consuming. In response to these comments Chairman Kresse stated that members of the Commission should use the original review procedures (published last fall) and that they should feel free to add relevant comments about the project as it relates to the goals, principles and criteria contained in the approved Niagara River Greenway Plan.

There was some discussion about the procedures used during Commission meetings when projects are voted upon. Commissioner Mark Thomas suggested that each project sponsor be given three to five minutes to present their proposal prior to calling for a vote by the Commission. Commissioner Paul Leuchner reported that projects with fatal flaws were successfully handled through informal meetings with project sponsors. In many cases the proponents would withdraw their applications, amend the content and resubmit during the next round of project review with positive results. Although out of order, a member of the public suggested that projects be tabled if a project sponsor or designated representative was not present during a Commission meeting to answer questions. Commissioner Leuchner rejected this proposal indicating that it was not fair to other project sponsors who had properly prepared their applications and made an effort to be present at Commission meetings. Commissioner Paul Dyster added that no project could really be found to be permanently inconsistent considering the fact that it could be revised and resubmitted for review. Chairman Robert Kresse closed the discussion adding that the Commission will strive for better efficiency and in time will develop a better process. He noted that during the next round of project review sponsors will be given five minutes to present their project prior to the call for a vote by the Commission.

Niagara River Hydrokinetic Turbine Projects

Commissioner Paul Leuchner reported on a notice from the Federal Energy Regulatory Commission (FERC) in which three separate entities were proposing hundreds of hydrokinetic turbine units that would be placed in the upper and lower

Niagara River. Since these projects have the potential to compromise the historic, cultural, recreational and environmental values of the Niagara River, he suggested that the Niagara River Greenway Commission file a formal request to become an intervenor in the FERC regulatory review process. He noted that the proponents of these projects are using someone else's money to squeeze a few more megawatts out of a river that had already been substantially impacted by hydropower interests. He also stated that intervenor status is needed to insure that the elements of the approved Niagara River Greenway Plan are not foreclosed by these projects. Commissioner Kresse agreed and called for a motion. Commissioner Leuchner moved that the Executive Committee recommend to the Niagara River Greenway Commission that they file as intervenors in the FERC review of a hydrokinetic turbine project proposed by Free Flow Power Corporation (No. 13098) and two projects proposed by Hydro Green Energy LLC of Houston (Nos. 13112 and 13113). The motion was seconded by Commissioner Mark Thomas and approved unanimously by the Executive Committee members.

Training Opportunity

Rob Belue reported that Parks and Trails New York is offering tuition free trail assessment training and certification on a competitive basis at Gilbert Lake State Park in Oneonta, New York on July 15th and July 16th. The Executive Committee recommended that Commissioner Leuchner apply for this training and if selected that he would be compensated for related travel expenses. A motion to this effect was made by Commissioner Mark Thomas and seconded by Commissioner Ron Pillozzi. The motion was approved unanimously.

Paddles Up Niagara 2008

Paddles Up Niagara 2008 Chairman Paul Leuchner will report on the current status of the event at the full commission meeting.

Adjourn

A motion to adjourn the meeting of the Executive Committee was made by Paul Dyster and seconded by Dick Soluri. The meeting adjourned at 2:30 p.m.

Paul G. Leuchner, Secretary
Niagara River Greenway Commission