

## Minutes

**The Seventh Meeting  
Of the  
Niagara River Greenway Commission  
Beaver Island Clubhouse  
Beaver Island State Park  
Grand Island, NY 14072  
February 28, 2006 3:00 pm**

### Call to Order and Introduction of Commission Members and guests

Dominic Jacangelo called the meeting to order at 3:30 p.m.

The following commissioners/representatives were in attendance:

Paul Leuchner, Commissioner  
Dom Jacangelo, NYSOPRHP representing Commissioner Castro  
Paul Dyster, Commissioner  
Chris Schoepflin, Empire State Development representing Chairman Gargano  
Ron Moline, Commissioner  
Abby Snyder, DEC representative  
Ron Hayes, DOT representative  
Rob Belue, NYS Parks, Administrative Coordinator, Staff

### Approval of Minutes

A motion to approve the minutes was made by Chris Schoepflin, seconded by Paul Leuchner. Accepted unanimously.

### Report of the Chair

Dom Jacangelo reported that the WNY Legislative Delegation will be meeting in Albany on Wednesday, March 8, 2006. Commissioner Castro will be participating in this briefing and will update the delegation on the Niagara River Greenway Commission's progress to date. Dom Jacangelo reported that the public review of the scope of services had concluded and that final revisions were being made prior to submission to Wendel Duchscherer. The draft scope of services was reviewed during the Executive Committee meeting held prior to this meeting and suggestions and changes were proposed, which will be implemented into the document. Specific changes are listed in the Executive Committee meeting minutes of February 28, 2006.

### Wendel-Duchscherer Contract Status

Mark Mistretta, Project Director and Wendy Silvotti, Project Manager reported on the status of the contract to develop the Niagara River Greenway plan. They took questions and received suggestions from the commission members, many of which were brought up at the Executive Committee Meeting. Highlights of the interview are:

- The commission asked if there would someone from Wendel-Duchscherer (W-D) at each meeting for the greenway. W-D responded they will have representation at every meeting.
- The commission encouraged W-D to use all free sources available to gather GIS data. W-D agreed.
- The commission wanted to ensure that the 4<sup>th</sup> bullet in Task 3C should read “restoring, preserving, and enhancing” unique and sensitive resources. W-D made note of this.
- Task 4B – the commission pointed out the National Parks Service uses a model and formula for economic and fiscal impacts and encourage W-D look at the model in an “off the shelf” prediction. This would possibly reduce the number of hours involved for W-D. W-D responded that they would inform E & E since it was part of their scope of work.
- Task 4C – the commission asked why W-D chose a ten-year outlook. W-D responded they developed that in conjunction with the experience of HOK’s team. They found that a 20 year outlook is too far out and less than 10 years is too short. They felt that 10 years is a good range, not unrealistic. They will have ideas for the long term, but want try to get a basis of reality, to start building and get some successes first and then develop them further. They feel the commission should have a vision of what they may want in 20 or 30 years, but after ten years the commission may want to look at the plan and make changes.
- Task 4D & 4E – The commission questioned the need for demonstration projects. They feel W-D could save some resources by saving this kind of activity for a later date. W-D responded they felt the demonstration projects were the best way to get the greenway up and running. They also agreed if they can’t come to a conclusion on a specific site for a specific demonstration project, then they could pull back and be more generic and fall into a couple of different scenarios. Paul Leuchner reminded W-D to be sure to check with the regulatory agencies to be sure the projects are feasible. W-D agreed that they continually check with these agencies during the process to be sure the projects can continue. Dom Jacangelo asked for clarification on how W-D would propose a specific project, what criteria they would use, how the process would evolve. W-D responded that visuals help promote the project, they would use graphics that support the project, certain elements such as scale, types of materials, etc. They wouldn’t get as involved with details such as signage. They feel the greenway will consist of unique features throughout and will need some decisions on how each section should be handled. Once the greenway vision develops, the plan details could be adjusted accordingly

to accommodate differences in project specifics. W-D feels that the demonstration projects will provide practical assistance in showing what can be accomplished and they will re-examine how they can implement this task and still stay within the budget.

- Task 5A – the commission wants to be sure the action plan needs to include clear priorities and criteria. W-D responded that they will be sure that the language is clarified on this task. Paul Leuchner asked what W-D’s plans are for conflict resolution. W-D responded they will be working closely with the commission to resolve conflicts. Their approach is to be as inclusive as possible, and working closely with the committees. They don’t feel that can always respond directly to conflict resolution or they will lose sight of the deadline they’re working toward, but could recommend and facilitate the commission with modes of conflict resolution.
- Task 6A – The commission wants the term “implement” changed to “facilitate”. Other language changes needed can be worked out with Rob Belue.  
W-D agreed.

A motion was made by Ron Moline to the chairman to authorize the commission to prepare a contract consistent with the revised Scope of Services and proceed with the signing of the contract. Paul Dyster seconded the motion. Passed unanimously.

### **Budget**

The Town of Tonawanda applied to the DOS New York State Quality Communities Program, Inter-municipal Growth Program Grant of \$150,000 on behalf of the NRG. Dom Jacangelo commented that the commission needed to establish a fiscal year. After some discussion, a motion was made by Paul Leuchner to establish the NRG fiscal year to coincide with the State fiscal year (April 1<sup>st</sup> thru March 31<sup>st</sup>). Abby Snyder seconded the motion. Approved unanimously.

A draft budget was distributed to the commission members that reflected anticipated income and expenditures. Not included in this budget is the community outreach for support of events drawing attention to the Niagara River Greenway suggested by Commissioner Michael Cornell during a conversation with Dom Jacangelo. After a brief discussion with the commission, Dominic Jacangelo appointed Commissioner Cornell as the committee Chair and Abby Snyder and Paul Leuchner volunteered to serve on this committee. Allen James of OPRHP will support the work of this committee.

Commission comments on the draft budget should go to John Giardino and adoption of a final budget will take place at the next meeting of the Niagara River Greenway Commission.

Commission member Paul Dyster asked if an end-of-year fiscal report was needed. Dom Jacangelo responded that no fiscal report is needed since no funds have been spent by the

Niagara River Greenway Commission, However, an annual report should be prepared and a draft will be ready for review by April 2006 with final approval the following month.

## **Committee Reports**

### **Logo Committee**

Paul Leuchner specifically thanked Dorothy Westhaver of the Grand Island Quality Quest Coalition for her assistance in developing the prospectus for the Niagara River Greenway Logo Competition. Commission members received a copy of the draft prospectus and a brief overview of the competition process. Representatives of the Birchfield Penney and the Castellani Art Museums have volunteered to serve as jurors during the judging of logo entries. Commission action on the approval of a cash award for this competition was requested. Dominic Jacangelo made a motion to award \$500 to the competition winner Seconded by Paul Dyster. Approved unanimously. The committee will review all submissions and refer the top three entries to the full commission for final selection. Larry Behan of the Sierra Club commented that the logo selection should not be based on artistic criteria alone and should consider applicability to the Niagara River Greenway. Commission member Paul Leuchner acknowledged his comment (the draft of the logo competition prospectus already recognized the importance of linking the logo image with the attributes of the greenway and authorizing legislation).

### **Web Site Committee**

Rob Belue reported that changes to the Niagara River Greenway Commission web page specifically the graphics on the home page will occur in the near future. . Every attempt will be made to post draft minutes of meetings on the website within two weeks of their occurrence. Anyone wishing to be added to the Niagara River Greenway Commission e-mail list should visit the website and enter their contact information into the comments section.

### **Local Government Advisory Committee (LGAC)**

Ron Moline reported the second meeting of the LGAC will be held on Wednesday, March 22, 2006 at 2:00 p.m. at the Parkside Community Center, Room 113. There will be another meeting of the LGAC held in April. A leadership summit is also being planned to identify common goals among municipal leaders and major stakeholders. This meeting will probably take place during the month of May at a date, time and location to be announced.

### **Citizens Advisory Committee (CAC)**

Paul Dyster reported the first meeting of the CAC was held on February 15, 2006 at Niagara University. Over 100 people were in attendance and all five categories of outreach groups were covered (civic, commercial, educational, recreational, and conservation organizations). The next meeting of the CAC will be held at the end of March at a location in Erie County.

Dom Jacangelo noted that there were many citizen comments on the potential use of eminent domain. He reemphasized his comments at the last CAC that the Niagara River Greenway Commission has no legal authority to take or own property.

### **New Business**

Dominic Jacangelo advised that six **commission members** are needed for the working group. Those interested in volunteering for the working group, should contact him immediately. Volunteers will be expected to, guide the contractor, attend meetings and participate in the drafting and of the actual plan prior to release for public review.

A letter from New York State Assemblyman Sam Hoyt concerning the Peace Bridge Expansion Project was provided to Commission members for their information and review.

### **Public Comment**

**Kevin Yost** – Student at Buffalo State College – Prepared a paper on LaSalle Park Riverwalk reaching from Buffalo to Fort Niagara and agreed to share it with the Niagara River Greenway Commission.

**Tom Nowak** – Buffalo Watersports Institute – Concerned with access from the water to the greenway. Wants all public facilities to have boat access in addition to land access and that boat access should be available to all of the various types of boating enthusiasts. Alleges that the Commission lacks experience in waterfront planning and design.

**Joan E. Johnson** – Niagara Heritage Partnership – Wants assurance that their interests will be considered and expressed willingness to submit their comments in writing. Asked if there was a deadline for submitting comments. Paul Dyster replied that the commission takes comments continuously.

**Thomas Frank** – Resident of Village of Williamsville expressed concern regarding the definition of a greenway and the specific boundaries for the Niagara River Greenway corridor.

**John Jordan** – Resident of the Town of North Tonawanda – asked what the most appropriate method is for a private citizen to submit ideas for greenway projects and if there is a deadline to submit comments or if you must be part of an organization. Paul Dyster responded that comments could be submitted at any meeting and that there was no deadline for public input.

**Julie Barrett O’Neil** – Buffalo Niagara Riverkeeper – thanked the Commission for their efforts to incorporate their suggestions into the contract Scope of Services. She asked for clarification on the selection of working group members. Dom Jacangelo noted that the working group will only consist of members of the Niagara River Greenway Commission.

**Jack Zimmerman** – Glenwood, NY – Stated that the master plan for the greenway should define long term as 50 years rather than 10 years, Asked about the sources of funding

**Paul Cozad** – Resident of Niagara Wheatfield – concerned about the eminent domain issue and a rumor that the commission has \$54 million dollars for property acquisition. Dom Jacangelo and Paul Leuchner responded that this rumor was false. The Niagara Greenway Commission has no legal authority to take or hold land. Dom added that no one can predict what may happen in future generations.

### **Next Meeting**

The next meeting is tentatively set for April 25<sup>th</sup> in the evening.

### **Adjourn**

A motion to adjourn was made by Chris Schoepflin, seconded by Paul Leuchner. Unanimous. Meeting adjourned at 5:35p.m.

Respectfully submitted,

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Paul Leuchner, NRG Commission Secretary