

Minutes

The Twenty Sixth Meeting Of the Niagara River Greenway Commission Beaver Island State Park Grand Island, NY January 20, 2009 3:00 pm

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

Commissioners or their Designated Representatives in Attendance:

Robert Kresse, Chairman
Richard Soluri, Vice Chairman
Paul Leuchner, Secretary
Tom DeSantis for Paul Dyster, Commissioner and Citizens Advisory Chairman
Ron Pillozzi, Commissioner and Local Government Advisory Chairman
Angela Berti for Mark Thomas, NYS Office of Parks, Recreation and Historic Preservation
Abby Snyder, New York State Department of Environmental Conservation
Ron Hayes, New York State Department of Transportation
Rob Daley for Patrick Curley, New York Power Authority
Chris Schoepflin, Empire State Development

Other Commission Personnel in Attendance:

Rob Belue, Executive Director Niagara River Greenway Commission

Absent Commission Members:

John Giardino, Treasure
Louis P. Ciminelli, Commissioner
Brett Sommer, Commissioner
Renee Parsons, New York State Department of State

Executive Director Rob Belue reported that although Renee Parsons (NYSDOS) was absent he did receive project voting instructions for today's meeting.

Approval of Minutes

A motion to approve the minutes of the Twenty Fifth meeting of the Niagara River Greenway Commission was made by Richard Soluri and seconded by Chris Schoepflin. The minutes were unanimously approved without change.

Comments from the Chairman

Chairman Robert Kresse on behalf of the Niagara River Greenway Commission expressed gratitude to all who attended despite the inhospitable weather.

Financial Report

On behalf of Treasurer John Giardino, Executive Director Rob Belue gave the financial report for the quarter ending December 31, 2008. At the end of the quarter the funds on hand amounted to \$156,600.33. Efforts are continuing to keep expenditures to a minimum. A motion to accept the financial report was made by Paul Leuchner and seconded by Ron Pillozzi. The motion was approved unanimously.

Local Government Advisory Committee Report

Commissioner Ron Pillozzi reported on the December 8, 2008 meeting of the Local Government Advisory Committee which was convened to discuss the development of a single standard for signage and trail amenities (picnic tables, railings, benches etc.) within the Niagara River Greenway.

Proposed Amendment Niagara River Greenway By-Laws

An amendment of the By-Laws proposed by Commissioner Paul Leuchner and endorsed by the Executive Committee was discussed. The proposal involves a change to the language of Article 7, Subsection 7.2, Paragraph a., Executive Committee, Tasks (sentence six). The intent of this change is to eliminate the requirement to schedule a meeting of the Executive Committee every month even though there may be no business to be brought before this body. In the future meetings of the Executive Committee would be automatically scheduled on those dates when the entire Niagara River Greenway Commission meets. At other times and when there is business to be brought before the Executive Committee meetings can be scheduled as needed. The change would eliminate needless meetings, reduce travel expenses and make better use of Commission member's time.

Accordingly, a motion was made by Commissioner Leuchner to change to Article 7, Subsection 7.2, Paragraph a., Executive Committee, Tasks, deleting sentence six and replacing it with the following: *"The Executive Committee shall meet prior to the regular meetings of the COMMISSION. On other occasions when business matters need to be brought before the Executive Committee additional meetings may be scheduled as required."* The motion was seconded by Richard Soluri and approved unanimously. The Executive Director will be responsible for distributing this By-Law amendment.

Project Consistency

Niagara Frontier Transportation Authority: Outer Harbor Bell Slip Stabilization Project

A brief overview was provided by Executive Director Belue and a follow up presentation was made by Kimberley Minkel of the NFTA. The project involves restoration of environmental enhancements that were destroyed or damaged during storms that occurred during September and December 2008. Commissioner Paul Leuchner asked how the project would benefit the Niagara River Greenway since the site actually fronts Lake Erie. In response, Ms. Minkel indicated that the Bell Slip has terrestrial and aquatic habitat values that have a direct and positive impact on the upper Niagara River. Commissioner Leuchner also asked if the NFTA expects to ask for funding each and every time the environmental enhancements are damaged by storm activity. Ms. Minkel noted that this was a one time request for assistance and there would be no future requests. The Chairman called for a vote. Except for the representative of the New York State Department of Environmental Conservation who abstained all other Commission members found that the project was consistent with the Niagara River Greenway Plan.

Ecological Enhancement, Wetland Restoration and Aquatic Habitat Restoration Project, Tuscarora Nation Lands:

A brief overview was provided by Executive Director Belue and a follow up presentation was made by Renee Rickard of the Tuscarora Nation Environmental Office. The proposed study would identify suitable environmental restoration projects within that portion of the upper Gill Creek watershed that is located on Tuscarora Nation lands. Commissioner Paul Leuchner asked if the results could be reported at a future meeting of the Niagara River Greenway Commission since they may applicability to other restoration projects that may be planned within the Niagara River corridor. Ms. Rickard agreed to share the results. Commissioner Abby Snyder indicated that the NYSDEC may have concerns about project impacts on protected species and regulated wetlands. The Chairman called for a vote. Commission members found that the project was consistent with the Niagara River Greenway Plan.

Boundary Waters Celebration

A brief overview was provided by Executive Director Belue and a follow up presentation was made by Kerry Mitchell, Program Manager, Consulate General of Canada. Financial support was requested for the centennial celebration of the passage of the 1909 Boundary Waters Treaty. The celebration involves a series of cross border initiatives that are designed to enhance public understanding and appreciation of the region's abundant water resources. Commissioner Paul Leuchner asked how the funding for this celebration would showcase the Niagara River Greenway Plan and establish an enduring legacy that would transcend the planned events. Ms. Mitchell indicated that there would be opportunities to involve the Niagara River Greenway Commission. Commissioner Richard Soluri saw this project as a good opportunity to sponsor or endorse activities that would focus public attention on the Niagara River. Tom DeSantis representing Commissioner Paul Dyster challenged the Commission to get involved. Executive Director Rob Belue noted that future meetings and discussions are planned that will help define how the Niagara River Greenway Commission will participate in this event. The Chairman called for a vote. Commission members found that the project was consistent with the Niagara River Greenway Plan.

Muskellunge Genetic Structure, Reproductive Ecology and Fish Community Interaction Study, Research Foundation of the State University of New York

A brief overview was provided by Executive Director Belue and a follow up presentation was made by John M. Farrell and Kevin L. Kapuscinski. The project involves a research effort to further understand the ecology of the Muskellunge in the Niagara River. Commissioner Chris Schoepflin asked how the research results will be used and whether any follow up research is planned. Kevin Kapuscinski responded that the New York State Department of Environmental Conservation would be using the results which may form the basis for future research work. Commissioner Ron Pillozzi wanted to know if the Strawberry Island area was a good breeding ground for fish species. Mr. Kapuscinski noted that the area around the island and the southern tip of Grand Island has considerable fishery resource value. Commissioner Kresse asked about plans for stocking of fish. Mr. Kapuscinski noted that any decisions related to fish stocking will have to be made by the New York State Department of Environmental Conservation. Commissioner Paul Leuchner stated that the results of this research should be integrated into the planning of the Frog Island Habitat Improvement Project that will be carried out by the New York Power Authority. He called upon NYPA representative Ed Alkiewicz for a commitment to consider the results of this research during the Frog Island project planning process. Mr. Alkiewicz agreed. The Chairman called for a vote. With the exception of the New York State Department of Environmental Conservation who abstained the project was found to be consistent with the Niagara River Greenway Plan.

City of Niagara Falls-Gill creek park lighting

A brief overview was provided by Executive Director Belue and a follow up presentation was made by Tom DeSantis. The project will improve park lighting, aesthetics and safety. Commissioner Abbey Snyder noted that this project is a part of a series of steps that will lead to enhancement of the Niagara River Greenway. The Chairman called for a vote. Commission members found that the project was consistent with the Niagara River Greenway Plan.

Old Business

There was no old business.

New Business

Niagara River Remedial Action Plan Update: Don Zelanzy of the New York State Department of State provided an overview of the Remedial Action Plan and an update on current program plans. The stated goal of this plan is to restore the physical, chemical and biological resource values of the Niagara River. Mr. Zelanzy expressed the desire to have Executive Director Rob Belue represent the Niagara River Greenway Commission at future meetings.

At 4:18 pm Chairman Kresse reported that he had another commitment and would have to leave. The meeting was subsequently chaired by Vice Chairman Richard Soluri.

Public Comment

Lisa Yaeger, Senior Legal Counsel for State Senator Thompson: Advised that letters of support for the NFTA Bell Slip Restoration Project, Boundary Waters Celebration and the Gill Creek Park Lighting Project will be forthcoming.

Julie O'Neal, Buffalo Niagara River Keeper: Appreciated the efforts of the Commission with regard to the review of the current round of projects. Ms. O'Neal emphasized the importance of continuing the Niagara River Remedial Action Plan. She noted that sewer and water quality problems continue to degrade ecological quality. Ms. O'Neal stated that there is a real need to deal with non-point sources of pollution.

Thomas Frank: Spoke on matters that he believed were of interest to the Niagara River Greenway Commission.

Adjournment

A motion to adjourn the meeting was made by Commissioner Leuchner and seconded by Ron Pillozzi. The meeting adjourned at 4:33 pm.

Paul Leuchner, Secretary
Niagara River Greenway Commission