

ENVIRONMENTAL COMMISSION
MAY 9, 2017 7:00 PM

PRESENT: Chairman J. Wolfgang; J. Allen; D. Balassone; B. Davy; Z. Collister; M. Feldman; and V. Polka

MINUTES:

Collister MOVED to approve the minutes of April 18, 2017. Seconded by Davy and carried 6-0. (Polka Abstained).

NYPA: Lou Paonessa, Community Relations Director, was invited to make a presentation on the NY Power Authority. Paonessa invited the Commission to a future tour of the facilities at any time.

Paonessa provided an update as to what is going on with NYPA and would answer any questions the Commission may have. NYPA has a Sustainability Plan and Strategic Plan that identifies core values for NYPA to fulfill its mission – integrating business objectives with environmental and social concerns. Their goal is to identify cost-effective measures that reduce energy and carbon intensity, increase resource efficiency and provide value to employees and local communities.

This falls within the policy context of New York State, Paonessa said. This includes Reforming the Energy Vision (REV) by 2030 that includes a 40% reduction in greenhouse gases from the energy sector; 50% of electricity provided from renewables; and a 23% decrease in energy use from buildings. The Governor has issued Executive Order 88, BuildSmart NY (BSNY) that calls for a 20% reduction in source energy-use intensity by 2020 for state-owned buildings greater than 20,000 sq. ft. and Executive Order 4: 10% annual reduction in office waste generated and implementation of green purchasing requirements. Executive Order 18 restricts the purchase of bottled water by state agencies; Zero-Emission Vehicle (ZEV) Mandate requires 16% of all vehicle sales in NYS to be electric by 2025. ChargeNY has a goal of 3,000 charging stations installed in NYS by 2018.

Paonessa said the Greenway Ecological Fund (GEF) was established at a level of \$1 millions/year to provide grants to sponsors for ecological projects submitted to and reviewed by the Greenway Ecological Standing Committee (GESC). The GESC consists of NYSDEC (co-chair), Buffalo Niagara Riverkeeper (co-chair), US Fish & Wildlife Service, Tuscarora Nation, Tonawanda Seneca Nation, Seneca Nation, and NYPA.

Another fund, a Fish and Wildlife Habitat Enhancement and Restoration Fund (HERF) was established to address the impacts of power project operations on the ecology of the Niagara River and its tributary watershed. This fund is a \$16.2 M fund (all up front), and is administered by the Ecological Standing Committee (separate from the Greenway Ecological Standing Committee, but consisting of the same people).

Wolfgang asked how these funds might be used in the Town. Paonessa said the Greenway Ecological funds were used for the WNY Land Conservancy (Stella Niagara). The HERF is what they are doing for the Gorge Restoration Project – to restore native species and eliminate invasive species along the gorge from Devil’s Hole to the Gorge Discovery Center. The WNY Land Conservancy will repair the environmental damage and enhance the habitat along the Niagara River Gorge.

Collister asked if the Town could apply for HERF Funds. Paonessa said it could for ecological purposes. It is meant for habitat improvement projects. It is a habitat restoration fund. The Town could try and apply for funds for an education program to educate residents as to what they can do to preserve their property along the Escarpment and Gorge.

Feldman asked how they could access the application process. Paonessa provided the website: niagara.nypa.gov.

Paonessa provided an update on several habitat improvement projects they were required to do as part of their 2007 Federal Re-Licensing Agreement: Little Beaver Island Wetland Restoration; Osprey Nesting Platforms; Invasive Species Control; Motor Island Shoreline Restoration; Frog Island Wetland Restoration and Strawberry Island Restoration.

Wolfgang said the Commission has had some concerns about the security of the Power Project since 9/11. There have been major, drastic changes, he said. Paonessa said Senator Rob Ort is on a taskforce for anti-terrorism for New York State. They had a private meeting about a week ago to see what NYPA has done on a security standpoint. The Senate Taskforce will hold public meetings throughout the State. One will be held at the Power Authority in late fall (late September).

Paonessa said NYPA, as well as the Federal Energy Regulatory Commission (FERC), takes security seriously. It is the utmost priority of the electrical grid at the power plants. From an environmental standpoint, they inspect the Reservoir every day. The void (sinkhole) that was reported in the *Niagara Falls Reporter* was no bigger than a traffic cone. It was reported to FERC. It was not connected to the Reservoir in any way. It is something NYPA and FERC monitor on a regular basis.

Polka said she understands the high-security risk but she questioned a natural disaster within the plant. How would the residents know what to do that live around the area? If there was a breach of the berm, how do we respond as a community?

Paonessa said NYPA is responsible for alerting first responders. First responders are responsible for developing plans for notifying residents on evacuations. There are scenarios drawn up where certain bulletin messages would go out to the public based on various scenarios that could happen. Paonessa said they hold drills every year with first responders.

This ended the presentation. Wolfgang reminded Paonessa to provide them with the date for Senator Ortt's Task Force meeting. Also, he reminded Paonessa that the Commission would like to schedule a tour sometime in the summer. Paonessa asked the Commission to come up with a date and he would arrange it.

STELLA NIAGARA PRESERVE:

David Spiering, Conservation Project Manager for the WNY Land Conservancy, provided a lengthy power point presentation on the Stella Niagara Preserve. Most of the projects he has worked on have come from Power Authority money. He requested funds from the HERF Project to do a wetland planting project at the Tifft Nature Preserve, planting over 2,000 trees. Now, with the WNY Land Conservancy, they are using the Power Authority re-licensing money to do the work at the Stella Preserve.

The WNY Land Conservancy has been in existence for 26 years, with nine (9) employees and almost 1,000 members. They are headquartered outside of East Aurora. They protect special places for nature and farms. In June 2015, the Land Conservancy purchased 29 acres from the Sisters of St. Francis. It was opened to the public in July 2105 and features walking trails, fishing access, and a kayak launch. Parking is available at the Lewiston Senior Center. A comfort station will be opened in the immediate future. The Land Conservancy will be putting up signage about Stella inside that rest room.

The Land Conservancy prepared a Vision Plan to help guide the landscape restoration design and ongoing stewardship and maintenance of the Stella Niagara Preserve.

The Preserve had been home to the Sisters of St. Francis since 1907. The chapel, thought to be the tiniest religious structure in Western New York, was in the spotlight in 1955 when it "miraculously" survived an ice jam and flood that destroyed many properties along the river. The property is also home to several sgraffito-style murals by Jo'zef Slawinski, a renowned Polish artist.

The Stella Niagara Preserve will be a world-class nature preserve that provides an iconic cultural, natural, and recreational link. The Land Conservancy has hired nationally renowned restoration landscape architect team of Darrel Morrison and Nancy Aten to create a concept plan for the entire preserve, and to restore prairie grassland and a savannah landscape to a major portion of the site.

Spiering said they will be working with the Buffalo Niagara Riverkeeper as they have funding to do a shore-line project at the landing that will include flat stones creating a channel to launch kayaks. The stones will arch around. Behind that would be wetland type plantings that can provide habitat for reptiles, amphibians, spawning fish, and birds.

Spiering said all this information is available on the Conservancy's website: <http://wnylc.org/land-protection/current-projects/stella-niagara-preserve/>

Wolfgang said the Commission would be interested in inviting the Buffalo Niagara Riverkeeper. Spiering said if the Commission is interested in trying to soften shoreline so they can take the impact to variable water levels to prevent erosion, Buffalo Niagara Riverkeeper would be able to provide recommendations. That is their specialty, he said.

RECYCLING CARTS:

The Commission received correspondence from Dawn Timm, Director: Division of Environmental/Solid Waste, Niagara County Dept. of Public Works. The estimated cost of the purchase of 5,762 carts is \$296,716. These carts are eligible for 50% reimbursement from the NYS DEC. Timm would be willing to talk with the Commission about the carts and local efforts to purchase them.

Collister said it would be a tough sell because of the Host Community Agreement. The Town would not be able to afford to do the program. Wolfgang suggested inviting Mrs. Timm to the next meeting, as well as the Town Supervisor and Councilman Bax. The Clerk was directed to contact the Town Supervisor.

HOJACK TRAIL:

Wolfgang said they received a memo from the Highway Supt. regarding the Old Hojack Line that states that upon inspection, it is determined to be privately owned and not a public trail.

Feldman said he spoke with the Highway Supt. about this. I was surprised to learn that he said it was private property. I'm not sure all of it is. I'm looking at these maps. The section that I noticed a problem in is below 796 or 800 the Circle Drive. The section of the Hojack Line in which I'm positive are under private ownership are to the west of that – 5150 & 4994 Oakhill Drive. That is certainly under private ownership. As you continue east you have Little Vista and Big Vista. That is certainly privately owned land along where the Hojack Line used to run. But if you're looking below 822, 818 & 814 continuing west, that is the section of the trail that people commonly walk... Heading east it disappears into private property.

It used to go to the LOOW site, Feldman said. I understand this track originally was for military use. I was told that when it was originally built, the rails themselves were wood. Thursday, I'm supposed to meet Supt. Trane and show him where this is. I'm going to look up the real property records because I'm curious. Look at the map. I don't see any numbers on these sections that are west of Oakhill. That doesn't mean it's a Town property or a Town problem. It's a really nice walking trail. Hopefully, I'll be able to provide an update after meeting with Dave. Anyone who wants to join me Thursday night is more than welcomed to. I have to call Dave at 5 p.m. I access it thru Oakhill Drive. I live at 806 The Circle. It is not an easy climb down.

The Highway Supt. submitted a second memo requesting an up to date index of all streams, swamps, marsh lands and other wetland flood plans, as per Section 19-6, Powers and duties, (D) of the Environmental Conservation Commission Code.

INFORMATION FOR THE GOOD OF THE GROUP:

Collister said 1707 Ridge Road, Inc. which manufactures corrugated cardboard, will be increasing manufacturing making sheets of cardboard. Although they are increasing manufacturing, the facility would be quiet. Allen questioned if they need to apply for a building permit as they would substantially alter what they were originally given permission to go in there with. Collister was asked to contact the Building Inspector and ask him what his thoughts are.

Next meeting scheduled for **Monday, June 19, 2017 at 7 PM.**

The Clerk was directed to contact the Buffalo Niagara Riverkeeper and ask if they would meet with the Commission to talk about the preservation of the Escarpment and Riverbank area to provide assistance for residents residing in those areas.

Allen MOVED to adjourn. Seconded by Davy and carried 7-0. Time: 9:00 p.m.

Transcribed by:

Carole N. Schroeder, Secretary