



Minutes of Niagara Erie Regional Coalition Reception  
September 24, 2010

**Co-Chairs**  
Hon. Clyde Burmaster  
Hon. Edward Rath III

**Present:** Burmaster, Rath, Allen, Cappellino, Ellis, Ferraro, Hardwick, Konst, P. McMahon, Morse, Orsi (proxy), Rizzo, Ross, Wendel, White, Kempner

**Members**  
James Allen  
Clinton Brown  
John Cappellino  
Dr. Deborah Curtis  
Hon. Paul Dyster  
Hon. Wright Ellis  
Samuel Ferraro  
Dottie Gallagher-Cohen  
Hon. David Godfrey  
Robert Gower  
Hon. Kevin Hardwick  
Kathy Konst  
David Lacki  
Gregory Lewis  
Hon. Peter McMahon  
Hon. Barbara Miller-Williams  
Hal Morse  
Christina Orsi  
John Percy  
Hon. Phillip "Russ" Rizzo  
Hon. William Ross  
Salvatore Sciandra  
Peter Wendel  
Arlene White  
Hon. Maria Whyte

**Excused:** Brown

**Absent:** Curtis, Dyster, Gallagher-Cohen, Godfrey, Gower, Lacki, Lewis, Miller-Williams, Percy, Sciandra, Whyte, Casale, Witul

**Guests:** Mr. Robert Skerker

The meeting was called to order at 8:33 a.m. by Niagara Erie Regional Coalition Co-Chairs Clyde Burmaster and Edward Rath III. They welcomed those in attendance, and thanked John Cappellino and the Erie County Industrial Development Agency for hosting.

Departing members Renee Filip, Hon. John Mills, and Joe McMahon were thanked for their service. New members Clinton Brown, Hon. David Godfrey, Hon. Kevin Hardwick, Hon. Phillip "Russ" Rizzo, and Darren Kempner (ad hoc) were welcomed.

Regional Coalition Executive Director Tod Kniazuk welcomed keynote speaker Robert Skerker by explaining that Preservation Buffalo Niagara President Catherine Schweitzer reached out to the Coalition following the article in *The Buffalo News* regarding our visioning to see if we'd be interested in learning more about the upcoming National Preservation Conference. In that article, now-member Clinton Brown mentioned that the conference might be something for the Coalition to be involved with.

Skerker thanked the group for the opportunity to speak about the conference, being held October 18-22, 2011 in the Buffalo-Niagara region. He began by explaining that Preservation Buffalo Niagara is working with the National Trust for Historic Preservation on the conference. Buffalo is covered out of the Boston, Massachusetts office of the Trust.

**Ad Hoc**  
Michael Casale  
Matthew Enstice  
Darren Kempner  
Melinda Rath Sanderson  
Lawrence Witul

**Executive Director**  
Tod A. Kniazuk

The conference is held annually, and over 2,000 are expected to attend this year's in Austin, Texas. Buffalo organizers are confident they can top that number on the strength of our region's offerings. The Buffalo Niagara Convention & Visitors Bureau has embraced this conference as it gives a "seal of approval" to the effort to brand the region as a destination for architectural and cultural tourism.

Preservation Buffalo Niagara is a coalition of local preservation groups, and are offering proposals and facilitating the local end of the conference. Some of the things they can suggest are plenary speakers, education sessions, and tours of area attractions. They do not, however, have any final say over the content of the conference or the official activities related to it; that all comes out of the Trust's national office in Washington, DC.

The local contingent is responsible for the financing of the conference. Local organizers have raised \$500,000 in foundation funding, and are expecting \$500,000 worth of admission revenue from registrants. They are still looking for additional national and local sponsors to augment the experience. The benefit to the local community is the exposure our local assets will get through the attendees, and the subsequent coverage and word of mouth. Additionally, the prestige of this has already generated additional preservation-themed conferences being booked in Buffalo-Niagara.

The local organizers have been very successful in reaching out to Canada to be part of this, but have been less successful in engaging Niagara County. They have spoken with the Niagara University Hospitality Training and Research Center about training volunteers to improve the attendees' experience, and have also talked with the Niagara Frontier Transportation Authority about free bus and rail passes for the week of the conference.

The Trust wants this to be a "warts and all" experience, showing not only our successes but also what hasn't worked. Other cities are younger, so the desire is to learn from our experiences since that's what they may be facing in the future. Additional things about our region that attracted the conference are our stellar architecture and parks systems, our diverse neighborhoods for walking tours, and the lack of chain restaurants in the area.

The attendees for the conference are private practitioners, government officials, and students. The goal is to send these 2,500 people home with a great experience to spread the word about our region.

The website for this is [www.preservationbuffaloniagara.org](http://www.preservationbuffaloniagara.org). In November, there will be an online mechanism for submitting ideas for the conference.

Coalition member William Ross suggested reaching out to the Niagara Tourism & Convention Corporation to get Niagara County involved. Co-Chair Burmaster added that when doing presentations on the buildings and sites, some history be incorporated. Coalition member Kevin Hardwick shared his thought that this event should be documented, and Kniazuk added that colleges such as Hilbert have classes that might be interested in filming and producing such a documentary.

Co-Chair Rath noted that the Regional Coalition is committed to bi-county economic development and tourism efforts, and this conference is a good fit for our organization. He pledged that we will work to determine a specific role the Coalition can play in the conference. The Co-Chairs thanked Skerker for the presentation.

Minutes of the April 23 general meeting and July 29 visioning presentation were approved.

Kniazuk presented the sustainability report, which was received and filed. Kniazuk noted that full payment was received from Erie County for 2009, as well as the first three quarters of 2010. Coalition member Kathy Konst noted that the Erie County Executive directed his departments to cut 20 percent from their budgets, and therefore she has recommended NERC for 80 percent of their current funding in 2011. Kniazuk also reminded member organizations to make their contributions.

On the outstanding money owed by the Arts Council of Buffalo & Erie County, Kniazuk updated the group that the Arts Council is being officially dissolved, and the trustee advised that little – if any – of the funds will be forthcoming as there are many unsecured creditors and very few assets. Coalition member Peter Wendel asked if this money was owed to the group or to the executive director. Kniazuk replied that, while this was a contract between NERC and the Arts Council, it was payment for his services and he is therefore personally out the money.

Kniazuk then presented a document outlining options for future structure of the Coalition. He reminded the group of the need to take some action soon, as the current model is presenting issues with insurance and fiscal reporting for both the Coalition and our host the ECIDA. On request of the Co-Chairs, the main option Kniazuk investigated was creation of a 501c3 not for profit corporation under the “relieving the burdens of government” provision.

Advantages of becoming a 501c3 include allowing the Coalition to pursue additional sources of funding (especially from foundations), while securing existing funding by allowing member agencies to deduct their contributions. It

would also give an air of legitimacy to the group through its formal structure. Challenges include filing and review of an annual 990 and annual report, as well as an estimated annual cost of at least \$5,000 to meet these and other requirements. Further, we would need to be cautious to avoid activity that would classify us as a public authority and subject us to the additional reporting requirements under the New York State Public Authority Accountability Act.

The process of becoming a 501c3 would take a few months, require the engagement of an attorney, and would cost between \$5,000 and \$10,000. Additionally, general liability and directors and officers insurance would need to be purchased, and bylaws would need to be created; most likely, the provisions of how the co-chairs and members are chosen would need to be changed. Kniazuk noted that he has experience with not for profits as both a staff and board member, has written and revised bylaws, and is familiar with many of the reporting requirements. Before any of that, however, we would need to receive word from the Erie and Niagara County Legislatures "releasing" NERC from its current structure as an ad hoc subcommittee of the two County Legislatures.

Kniazuk also noted two other structures the Coalition has employed in the past that could be alternatives to the creation of a 501c3. Management of the Coalition could become a project of one of our member organizations, with the executive director employed by that agency and potentially doing work for them as well (the model used at the University at Buffalo Institute for Local Governance & Regional Growth), or it could return to its beginning with a staff member at one of the Legislatures being responsible for its operations. Both these models have their own benefits and challenges.

Coalition member Samuel Ferraro asked if we really need to do anything, and was reminded that we do. Konst asked if a c3 was the correct 501 to be; for instance a 501c4 is advocacy or a 501c6 is trade. Kniazuk replied that the main strength of being a c3 was that was the only type of not for profit corporation most foundations fund. Wendel suggested that when we consider our future structure we think about the ability to do some regional planning functions, that we retain our connection to the two County Legislatures, and that we maintain continuity in membership and staff.

On the request of the membership, Kniazuk will expand the structure document to more thoroughly investigate additional alternatives. Co-Chair Rath advised the group that we will look to make a determination on future structure at the December general meeting.

The Economic Development and Government Affairs Subcommittee overviews will be distributed via e-mail, as will a request for all members to choose their subcommittee. Meetings of both will take place in October.

Coalition member James Allen noted that he'd like to see the Economic Development Subcommittee work on determining the significant economic development clusters, bettering and simplifying the adaptive reuse policy, and become a centralized point of information. He added that because of our lack of formal structure, member agencies take control of these issues and let them die.

Ferraro asked for more lead time in scheduling subcommittee meetings, and expressed concern about subcommittee chairs developing their own agendas without consulting others. Kniazuk replied that the members of the subcommittee determine their agendas and work, with subsequent approval of the full group. Co-Chair Rath opined that perhaps communication could be better, and promised to make it so.

There was no old or new business. The next general meeting of the Coalition will take place Friday, December 3 at 8:30 a.m. at the Niagara County Center for Economic Development (thanks to Samuel Ferraro for hosting). The Co-Chairs thanked the group, and the meeting was adjourned at 9:50 a.m.

Submitted by Tod A. Kniazuk  
October 11, 2010