

**Corrected Minutes for the July 6th 2011 meetings of
The Village of Lancaster Community Development Corporation**

At 5:28 p.m. on the afternoon of July 6th 2011, President Jeffrey Stribing convened a meeting of the Executive Committee of the VLCDC in the second floor board room of the Municipal Building at 5423 Broadway, Lancaster, New York. Also present were Vice President Richard Young, Secretary Craigg McRae, Treasurer John Mikoley and Director John Evoy. Consultant Stanley Keysa was also present.

John Mikoley moved approval of the minutes of the two meetings held June 1st 2011; his motion was seconded by Dick Young and unanimously approved. The vote was as follows:

John Evoy	aye	Craigg McRae	aye
John Mikoley	aye	Jeffrey Stribing	aye
Richard Young	aye		

Treasurer Mikoley suggested waiting a few minutes for Mark Aquino to arrive to discuss the Treasurer's report, as it had been prepared by Mr. Aquino.

Jeff Stribing noted a letter from RMF Forms to both Orffeo Printing and LifeForms indicating that the facilities at Central and Newell were not ready for occupancy, but would be ready shortly. The communication was received and filed.

Jeff continued by stating that the decision on the NYS Main Street grant application would probably not be made until mid-August, meaning that construction this year is unlikely. He indicated that parties showing interest in participating include Wally's Service, Hunt Mortgage, Picasso's Pizzeria, Dr. Rudewicz, Dr. Schwach, Rich Sherwood, #27 Central, Wm. Schutt, Mike Kelleher, Paul Lista, Eddy Ryan's. Accent Photography, 34 & 36 Central, 24 Central, 1 West Main St, and 6 West Main. He listed Carson's Jewelers as a key property, but was unsure as to their interest.

Consultant Mark Aquino arrived at 5:30 p.m., as did Director Matt Walter. John Mikoley then presented the Treasurer's report saying all items were usual expenses. Craigg McRae moved to approve the Treasurer's report and to authorize payment of checks #1818 thru 1827 totaling \$16,182.84; his motion was seconded by John Evoy. The motion was then put to a vote and unanimously approved. The vote was as follows:

John Evoy	aye	Craigg McRae	aye
John Mikoley	aye	Jeffrey Stribing	aye
Richard Young	aye	Matt Walter	aye

Mark Aquino said that when Orffeo and LifeForms move, that will clear the entire lower level except for Save-A-Lot and the stuff stored by the Village of Lancaster. Jeff said he would speak to Mayor Cansdale about removing those items.

Mark reported that Lucent, which rents space on the upper level off West Main Street, was looking for a two-year lease with 6 month notice to remove; he had suggested a three month notice clause. Discussion followed, during which Mayor Cansdale joined the meeting. John Evoy moved to authorize Mark to execute a two-year lease with Lucent with a notice to remove clause as Mark deemed appropriate. John's motion was seconded by John Mikoley and unanimously approved. The vote was as follows:

Bill Cansdale	aye	John Evoy	aye
Craigg McRae	aye	John Mikoley	aye
Jeffrey Stribing	aye	Richard Young	aye
Matt Walter	aye		

John Evoy introduced John Dennee, who has expressed interest in the work of the VLCDC. John said Dennee was an engineer currently working with NYS Parks who had previously been a project manager with NYS Department of Transportation. A recently arrived resident in Lancaster, Dennee is a qualified codes enforcement officer familiar with the NYS building codes. The Directors thanked Mr. Dennee for his interest and asked that he stay for the balance of the meeting.

Jeff Stribing reported he had the first bill from LiRo Engineering for their services through June 16th. Stan Keysa suggested a process for handling these bills. After review by the audit committee, Craigg McRae moved to refer the bill to the Village of Lancaster for submission to the County of Erie for payment. His motion was seconded by John Evoy and unanimously approved. The vote was as follows:

Bill Cansdale	aye	John Evoy	aye
Craigg McRae	aye	John Mikoley	aye
Jeffrey Stribing	aye	Richard Young	aye
Matt Walter	aye		

Trustee Bill Schroeder arrived at 5:53 p.m., and Trustee Paul Maute arrived at 5:57 p.m.

President Stribing suggested the meeting now continue as the planning session, to be joined by members of the Village Board. He reported that Linda Mallia, Supervisor Bob Giza, Trustees Ken O'Brien and Edward Marki, and LCSD Superintendent Ed Myszka had asked to be excused.

Stribing repeated information on the NYS Main Street grant application decision time.

Jeff reported the he and others had met with Mike Horrigan off Save-A-Lot to express interest in their moving so as to permit full asbestos abatement of the LVP Complex. He said Horrigan has referred the matter to their attorneys, Hiscock and Barclay, who have sent a letter asking to meet. Jeff said that Horrigan had said SAL wants to stay in Lancaster, but could not afford to pay much more than they are now. Horrigan claimed that SAL had invested hundreds of thousand or a million dollars in the present store.

Jeff and others had suggested SAL look at the Elks building, at the former Tops site in Depew at the southeast corner of Penora and Broadway, or a new build. They have since learned that the Tops site has been sold to Gold's Gym, and Kaleida plans to relocate there from the LVP Complex. Jeff has met with the leaders of the Elks lodge, who would be interested. Horrigan has said that SAL corporate planners do not like the Elks site.

Jeff said Mike Horrigan called today to ask the status of the VLCDC plans. Aquino said Horrigan-Lancaster hired an appraiser to contest the assessment of \$800,000 determined by the Town Assessor, and that Horrigan's claimed value of \$375,000 had been rejected by the Town Assessment Board of Review.

Discussion followed, with John Evoy saying he thought it had been a very cordial meeting, and Mark saying he expected the situation would be the subject of further negotiation.

As a sudden storm was raging outside, Mayor Cansdale left at 6:03 p.m. to check on response by DPW crews, returning a short time later.

Jeff now turned to the email letter received from David Rutecki, of M&T Bank (Copy attached), which everyone found to be confusing. Consensus was that Rutecki had prepared the letter from an earlier letter on his computer and failed to delete the loan terms incorporated in the earlier letter. Mark said he read the letter as a first response, and that it said M&T would accept \$329,000 to release the mortgage on the LVP Complex, but would retain a mortgage on the property in the industrial park, and seek half of the proceeds of future sale of land now occupied by the LVP Complex. Consensus was that was unacceptable without limits, and without making it subject to payoff of the new investor's mortgage. It also left the secondary mortgage holders (now owed \$300,000) in a disproportionate position. Discussion followed.

Dick Young reported that he had heard today that County Executive Collins had given direction that all but \$80,000 of the \$300,000 federal CDBG grant be reallocated and that County staff were no longer to attend VLCDC meetings. There followed speculation whether this action was a result of a dispute during the July fourth parade in which he was reported by the Buffalo News as insisting that he lead the parade, rather than join the customary position for political leaders. Discussion followed as to the need to confirm that action, and whether it was a legal action on his part in light of actions taken by the VLCDC to clear tenants in advance of asbestos abatement and demolition.

Young said that he had been told that the reason was lack of action on the part of the Village in bonding the proposed road. Mayor Cansdale responded that the Village would not borrow until the money was needed, and that it only took about thirty days to adopt a bond resolution. Trustee Maute objected to Young conducting "sidebar" discussions with a County official without having Stribing involved. Mayor Cansdale advised against a "knee-jerk" reaction, saying Collins had also gone his own way at other parades and been criticized in the press.

Dick Young again emphasized the need to resolve the issue with Save-A-Lot and Erie County. Extensive discussion followed.

Paul Maute left in response to a fire call at 6:27 p.m., returning a short while later.

Mark Aquino suggested that the priority will be to clarify whether action has been taken by Erie County to reallocate the grant, and asked for a copy of the County's contract with the Village (which Jeff provided him after the meeting). Mark said the next priority should be to clarify the intent of the letter from Rutecki, finally to deal with Save-A-Lot. Mark offered to revise the letter he had previously drafted for Jeff's signature (but which had not been sent to M&T). Discussion followed.

At 6:34, the Mayor left to check on sewer flooding, returning about three minutes later.

At 6:40 p.m., Trustee Maute left on another fire call.

Craigg McRae moved to adjourn the meeting at 6:53 p.m.; his motion was seconded by Matt Walter and unanimously approved. The vote was as follows:

Bill Cansdale	aye	John Evoy	aye
Craigg McRae	aye	John Mikoley	aye
Jeffrey Stribing	aye	Richard Young	aye
Matt Walter	aye		

Respectfully submitted,



Craigg McRae, Secretary