

**Minutes for the January 4<sup>th</sup> 2012 meetings of  
The Village of Lancaster Community Development Corporation**

At 7:32 a.m. on the morning of January 4<sup>th</sup> 2012, 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 Craigg McRae, Treasurer John Mikoley, Secretary Matt Walter and Director John Evoy. Also present were Village Attorney Art Herdzik and Erie County Director of Industrial Assistance Christopher Pawenski.

Craigg McRae moved approval of the minutes of the December 7<sup>th</sup> 2011 regular directors meeting and of the special meeting of membership held on December 12<sup>th</sup> 2011; his motion was seconded by John Mikoley and unanimously approved. The vote was as follows:

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

John Mikoley presented the Treasurer's report, as prepared by Mark Aquino. Mikoley said all items were usual, except for a payment of \$1700 to auditors Drescher & Malecki. It was decided to wait for Mark Aquino to clarify certain checks before proceeding.

At 7:35, Director John Dennee and consultant Stan Keysa arrived.

Jeff Stribing reported that a preliminary report from Wm Schutt & associates was discussed at the work session of the Village Board last Saturday. In essence, WSA said the building was old and deteriorating, but was not in imminent danger of collapse. As such, it could not justify condemnation on safety issues of the Save-A-Lot portion. Other areas do need attention.

Jeff said the Village Board was quite concerned over delay in removal of asbestos. He had explained the delay on several factors, including the verbal offer of an investor to buy the various mortgages at 50 cents on the dollar, the requirement of the investor that the Save-A-Lot segment be demolished, the letter of the fire inspector questioning the safety of the structure, the Village Board decision to hire WSA to study the structure, and the delays in receipt of that report. The Village Board asked Art Herdzik to review the contract with Erie County.

Director Edward Myszka joined the meeting at 7:40 am, and Mark Aquino at 7:42 am.

Jeff introduced Art Herdzik, who said the Village Board now had the asbestos removal issue "on the front burner." He asked Chris Pawenski if the project had to be complete by the end of March. Chris responded that the work needs to be substantially under way. Art noted that there seemed to be many players, which was impeding the progress

Stan Keysa noted that the building has three mortgage holders, each of whom must approve any alterations or demolition. He said there had been a meeting with David Rutecki and Josh Heim of M&T Bank in early December to expedite this, which was also attended by Ken Swanekamp and Chris Pawenski of Erie County. They had clarified that the bank needed to approve not only asbestos removal, but demolition of segments 2, 3 & 4, and release the future right-of-way for an extension westward of West Main Street. Rutecki gave verbal direction to attorney Vincent Hauber to prepare the letter.

Stan said Hauber had been backed up, but had sent him a draft yesterday of a proposed letter which Stan read to the meeting. Chris Pawenski reacted to the condition that the bank approve any contracts, saying the process was dictated by federal law and would not tolerate the bank's interference. Stan said he would convey that the Hauber.

Chris went on to say the HUD grant was to eliminate blight, that M&T needed to release the ROW, and that the Village needed to commit to building the extension of West Main Street. Jeff Stribing noted the Village had hired an engineer to prepare the plans, but Chris said that was not enough, that the Village Board had to adopt a bond resolution, but that it did not have to borrow immediately.

Art Herdzik said he would ask WSA for a description of the ROW. Art also asked Stan and Jeff to attend the next Saturday morning work session of the Village Board to review the history of the project and explain the delays. Craigg also volunteered to attend.

At 8:10 am, Art Herdzik left the meeting and the board resumed the regular agenda. Jeff circulated a contact list prepared by Stan for corrections.

After discussions with Mark Aquino, Craigg McRae moved to approve the Treasurer's Report and authorize issuance of checks numbers 1900 to 1909, totaling \$11,700.28; his motion was seconded by John Evoy and unanimously approved. The vote was as follows:

John Dennee	aye	John Evoy	aye
Craigg McRae	aye	John Mikoley	aye
Edward Myszka	aye	Jeffrey Stribing	aye
Matt Walter	aye		

Regarding the bill from the Alden Village Court, Mark is sending a letter asking that they waive the fee, as the Court was in regular session when it handled the matter.

Mark indicated the Ponytails were still interested in using the former RiteAid space starting in February; he is telling them it is on holds until the final WSA report is received. Mark also said that Life Forms and Orffeo are making payments, but that he is still waiting for a payment from Ann Jordan.

At 8:18 am, Edward Myszka left the meeting

Mark went on to say that the corporation desperately needs cash, and that he could use help in renting out the spaces to remain. John Mikoley said Pyramid Brokerage had a new agent who had time available and would work at 5%. John would take no portion of any commissions. Mark said the commission agreement was standard in its terms, and that the spaces would not be filled immediately. Discussion followed on the north side of West Main Street.

Regarding the situation with M&T Bank, Jeff noted it had been thoroughly discussed earlier in the meeting. Stan suggested adopting a resolution accepting the M&T letter. John Evoy moved to authorize President Stribing to approve such lien release letter from M&T Bank as is recommended by counsel; his motion was seconded by John Mikoley and unanimously approved. The vote was as follows:

John Dennee	aye	John Evoy	aye
Craigg McRae	aye	John Mikoley	aye
Jeffrey Stribing	aye	Matt Walter	aye

President Stribing reported that the application for an additional round of funding from the New York State Main Street grant program had been rejected; he will follow-up to learn why.

Jeff noted the preliminary WSA report had also been discussed earlier.

Stribing said he had received a resignation letter late yesterday from former Lancaster Town Supervisor Robert Giza. Jeff noted that Bob's successor, Dino Fudoli, had been appointed to the Lancaster Industrial Development Agency, and would approach him as to interest in serving on the VLCDC board. Stan Keysa also noted that Tom Van Nortwick had left New York State service and might be interested in serving here.

Chris reminded everyone that the LVP Complex Steering Committee will meet on Wednesday, January 18<sup>th</sup> at 2pm in the Municipal Building Board Room.

Craigg McRae moved to adjourn vat 8:58 am; his motion was seconded by Matt Walter and unanimously approved.

Respectfully submitted,



Matt Walter, Secretary