

## **Minutes for the July 11, 2007 meeting of the Directors of The Village of Lancaster Community Development Corporation**

At 8:07 a.m., President Jeffrey Stribing determined that a quorum was present and convened the meeting of the directors in the board room of the Municipal Building, 5423 Broadway, Lancaster, New York. Also present were Directors Robert Giza, Alan Kurtzman, Thomas Kazmierczak, Joseph Maciejewski, Craig McRae, John Mikoley, and Richard Young, as well as consultants Mark Aquino and Stanley Keysa. Jeff reported Mayor Cansdale was out of town on business and would be excused.

Director Joseph Maciejewski moved to approve the minutes of the regular meeting held June 6, 2007; his motion was seconded by Supervisor Giza and unanimously approved.

John Mikoley presented the treasurer's report, noting that the only unusual items included some repairs to the LVP Complex. Discussion followed on the nature of the repairs. Joe Maciejewski then moved approval of the treasurer's report and authorizing issuance of checks #1235 to #1246, totaling \$22,9887.50; his motion was seconded by Bob Giza and unanimously approved.

Mark Aquino reported that he had met last week with Tom Malecki, and that the auditor's report would "hopefully" be ready at the next regular meeting. He also noted that he had informed Fox & Co. that they would not be auditors this time.

Regarding lawsuits, Mark said that Judge Drury had adjourned the suit against Southtown Sports until July 20<sup>th</sup> for pretrial discussions, and Mark said he thought some schedule might be worked out. Mark said he had filed a default judgment against Buffalo Thrills for about \$8000, and had heard from the owner, who is now in California. Mark will seek assets on which to levy. Mark also noted that the Village had been served by David Pawlik, acting as attorney for Harry Konst, who was seeking a fee of \$8925 for having brought Save-A-Lot.. The VLCDC had not yet been served, but Mark expected it would be shortly.

President Stribing reported that he expected word on the Village's NYS Main Street Grant application before the end of July. He also noted that Erie County had created a competition for main street building improvements using federal CDBG funds, and that he had the grant writer apply. Four building owners (Betty Aquila, Clark at Carson's, Alan Kurtzman and Dick Young) had indicated interest, but only Dick had plans far enough advanced to meet the changing requirements devised by Tom Dearing at the County. Young noted it cost him \$2000 to have diagrams produced over a weekend, and that he "would never do it again." Stribing was unsure whether any Lancaster project would make the final cut.

Dick Young went on to express his concern with the lack of a firm commitment by the Town Assessor Christine Fusco that façade improvements would not result in assessment increases. Stan Keysa pointed out that the assessor is required to follow state law, and that she could not bind a future assessor, nor could she block a reassessment if it was the result of a general revaluation. Jeff Stribing indicated that Ms. Fusco had indicated that a façade improvement alone would not change the assessment. Bob Giza confirmed that Ms. Fusco's term is up in October of this year, and that the Town had already committed to a revaluation next year. Joe Maciejewski pointed out the availability of Section 485b exemptions as to village, county and town taxes,

Joe agreed to work with Jeff to plan a visit to the School Board to seek restoration of LCSD participation in the 485b program.

At this point, David Pawlik entered the meeting and served Jeff Stribing with a complaint with regard to the claim by Harry Konst. Jeff gave the papers to Mark Aquino and asked that he answer the complaint; Jeff also asked Stan Keysa to check his old files to see if he had any information which would shed light on the claim.

At this point, Joe Maciejewski left the meeting to attend to his duties at Erie County.

Stan Keysa circulated a copy of the book Lancaster, New York Architecture and History, recently published by the Village Historic District Commission and noted that copies were available from the Village Clerk or at Scarlett's Secret Garden.

Mark discussed several prospective tenants for the LVP Complex, including Kaleida Heath, which is thinking of expanding. He will look at the space now occupied by Arndt and Dwan, as their leases are coming up.

Jeff Stribing reported that he had been invited to speak to the Village of Hamburg economic development committee, and had discussed the nature of requests to be made to the State DOT regarding the pending Route 62 reconstruction, as well as parking issues. Jeff also noted that the lease for the parking lots on Central Avenue and south of West Main Street were again before the Village Board. Stan Keysa noted VLCDC approved such lease in June, 2005, and that the Village paved the West Main Street lot shortly after, but that the Village had not formally approved the leases. Rent will be waived in lieu of maintenance by the Village.

Stan Keysa noted that Brill had announced it will close its food-processing plant on Walden Avenue, and gave a brief history of the plant from its construction for Rotary Manifold Forms in the late 1970's to its conversion by Henry & Henry about 1980. Brill bought the plant in 1994, ending the quiet ownership by Syracuse University.

Jeff Stribing indicated that Bill Schutt had asked for time on the August agenda, indicating he expected his firm's investigations to be about 95% complete by that date.

Mark Aquino noted the interest expressed by Calvary Baptist Church in renting the former Southtown Sports space, which would allow them to sell their facility on Broadway and Burwell before building on Town Line Road. Dick Young expressed opposition, saying he felt "the VLCDC should be out of the landlord business." Stan Keysa noted that use by a church would constitute an assembly under the building codes, and might require fire alarms, sprinkler systems and/or additional exits. Mark pointed out that there was a continuing need to pay the mortgage, that the space would likely not be torn down in the near future, and that he had pointed out to the church leaders their need to address any building improvements. He thought the cost of those improvements might be too costly for the church to undertake. Discussions followed as to what steps will follow once WSA makes its report, and as to what was a logical sequence of steps to reconstruct the central business district.

Under resolutions, Jeff Stribing indicated that he had a lease signed on behalf of the Lancaster NY Opera House for rental of space on West Main Street, with a check for \$1300 to cover May, June and July. Mark indicated that rent for May and June was \$400 per month, with \$500 per month thereafter through January, 2008, and recommended approval. Alan Kurtzman moved to

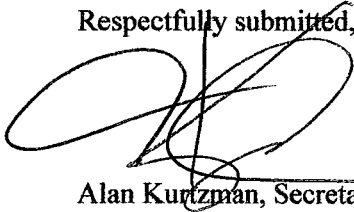
authorize Jeff Stribing to sign the lease; his motion was seconded by John Mikoley and duly approved (with Tom Kazmierczak abstaining.)

Mark noted a request for permission to park on the parking lot for a private event, and said he would handle it without a board resolution.

Jeff Stribing noted that the question of the logo was on hold until the school year resumed, and that **the next regular meeting will be on August 1<sup>st</sup> at 8 a.m. at the Municipal Building.**

At 9:05 a.m., Alan Kurtzman moved to adjourn, seconded by Dick Young and the motion was unanimously approved.

Respectfully submitted,

A handwritten signature in black ink, appearing to be 'Alan Kurtzman', written over a horizontal line.

Alan Kurtzman, Secretary