

Minutes for the September 3rd 2008 meeting of the Executive Committee of The Village of Lancaster Community Development Corporation

At 7:35 a.m. on September 3rd 2008, President Jeffrey Stribing convened a meeting of the executive committee in the 2nd floor library of the Municipal Building, 5423 Broadway, Lancaster, New York. Also present were Vice Chair William Cansdale, Secretary Craig McRae, Treasurer John Mikoley, and consultants Mark Aquino and Stanley Keysa also attended.

Stan Keysa distributed minutes of the August 6th meeting, and apologized for the delay occasioned by taking a short vacation. President Stribing noted that the "Walk the Villages" would be on September 24th from 6:30 p.m. to 8 p.m., and asked that the minutes of August 6th be corrected accordingly. Mayor Cansdale moved approval of the minutes as corrected; his motion was seconded by John Mikoley and unanimously approved.

John Mikoley represented the treasurer's report and asked authorization to issue checks #1403 through 1412, totaling \$16,317.08. He reported these were usual expenses, except for \$243 to be paid to Hurwitz and Fine for their review of VLCDC insurance policies. Craig McRae moved to approve the Treasurer's report and authorize issuance of the checks noted; his motion was seconded by Mayor Cansdale and unanimously approved.

Mark Aquino reported that Interstate Steel would be moving from West Main Street to Wehrle Drive, basically to gain more space and be more central to customers. Mark said that he and John Mikoley would be preparing a brochure to present the various spaces available.

Jeff Stribing reported that Mayor Cansdale had set up a "Christmasville" committee and they were recommending drawing in retailers to vacant spaces, even if at cost for November and December, to give visitors an opportunity to do more than look at windows.

Stan Keysa reported that there had been no further interest shown in the Commerce Parkway lot since the prospect was made aware of the appraised value (\$85,000), which was \$5000 higher than the negotiated price and \$15,000 higher than he initially offered. Stan will try to determine if the prospect has any further interest. Jeff reported he had shown that lot and other sites in the Village to a different prospect, and also said he had learned that Casillio was asking \$45,000 per acre for the 5+ acres they hold on the north side of Commerce Parkway.

Mark reported that the Konst lawsuit was adjourned again for a pretrial conference in about two weeks. He said the judge had not yet made a ruling on the motion to dismiss. He also said the opposing attorney had sent a "weird" letter which stated that a board member had told him the board member was unaware that Konst had been paid a brokers fee for International Martial Arts, and would have paid him for Save-A-Lot had he known that. Mark cautioned board members against communicating with Konst or his attorneys while a lawsuit is pending.

Jeff asked Mark and Stan about the letter from Jim Magavern suggesting two alternative approaches to securing donations from seizure by creditors in the event the VLCDC itself were to default on a loan. The first alternative was to create a subsidiary corporation whose purpose is specifically to receive and administer such donations ; the second was to place the funds with the Community Foundation for Greater Buffalo. Stan discussed potential liabilities, and the concept of setting up a trust account within the VLCDC, saying that Magavern was not sure that would

protect the donated funds. Discussion followed on the need to have a contract with New York State for the Main Street grant funds.

Jeff said he had called NYS Community and Urban Renewal Agency, which said a package of information should be forthcoming soon. Jeff also asked about using Dick Young's Vision corporation. Mark said he thought it easiest to set up a new corporation, estimating it would take 4 to 6 months to set up and apply for 501 (C)(3) status. Discussion followed on the process for acquiring the state funds. Stan Keysa suggested that, at minimum, a separate trust account be set up in a separate bank. Consensus was that the Bank of Akron would be suitable.

At 8:07 a.m., Craig McRae moved to adjourn the executive committee meeting; his motion was seconded by Mayor Cansdale and unanimously approved.

Respectfully submitted

A handwritten signature in cursive script that reads "Craig McRae". The signature is written in black ink and is positioned above the printed name and title.

Craig McRae
Secretary

Minutes for the September 3rd 2008 meeting of the Directors of The Village of Lancaster Community Development Corporation

At 8:10 a.m. on September 3rd 2008, President Jeffrey Stribing convened a meeting of the directors in the board room of the Municipal Building, 5423 Broadway, Lancaster, New York. Also present were Vice President William Cansdale, Secretary Craig McRae, Treasurer John Mikoley, and Directors Dawn Gaczewski, Joseph Maciejewski, Linda Mallia and Cristen Gregory. Consultants Mark Aquino and Stanley Keysa also attended.

President Stribing asked for any corrections to the minutes of the August 6th 2008 meeting; Stan Keysa noted that the "Walk the Village" tour was to be on September 24th, not September 28th. With that correction, John Mikoley moved to approve the minutes. His motion was seconded by Linda Mallia and unanimously approved..

Stan Keysa distributed updated By-Laws of the corporation to all in attendance. Mark Aquino reported that the corporation was solvent and moving forward.

Jeff Stribing reported that the VLCDC had been awarded a \$200,000 grant by New York State as part of the Main Street" program. This requires a 50/50 match from business owners, and Jeff is still waiting for details from the New York State Community and Urban Renewal Agency, which is administering the program, due this week. Jeff plans to set up committees including financial review and architectural review. He said that Mike Meyer, an architect serving as chair of the Historic District Commission, had agreed to serve on the architectural review committee. Jeff reported that 6 of 15 potential participants in the program had responded that they are still interested.

Regarding the Magavern letter, Mark Aquino said that he had reviewed with Jim Magavern the concern that certain funds, including grant funds or donations, be segregated from the general funds of the corporation to protect them from creditors should the VLCDC find itself in default on any loans. There are several possibilities, including creating a separate 501(c)(3) subsidiary; Mark thought that would take 4 to 6 months. Another possibility would be to arrange for the funds to be administered by the Community Foundation for Greater Buffalo. Mark favored creating a new subsidiary. Discussion followed on the benefits of having Mark and Stan work on creating such a subsidiary. Stan Keysa emphasized the need to set up a separate account to handle the funds from the grant.

Joe Maciejewski moved to authorize Mark and Stan to work at creating such a corporation; his motion was seconded by Linda Mallia and unanimously approved.

Mayor Cansdale then moved to authorize President Stribing to sign to accept the contract with New York State and for Treasurer John Mikoley to create a separate bank account at the Bank of Akron, with any two signatures required from either John Mikoley, Jeffrey Stribing, or William Cansdale. His motion was seconded by John Mikoley and unanimously approved.

Jeff Stribing discussed the "Walk the Villages" event, scheduled for Wednesday, September 24th. Senator Mary Lou Rath started this, and it has been expanded by Senators Dale Volker and Catherine Young. The tour will run from 6:30 pm to 8:00 pm, starting at "On Broadway", then to Sassafra, Central Avenue, and ending at the Fire Museum on West Main Street.

Regarding the efforts to continue "Christmasville", Dawn Gaczewski reported that the first meeting of the committee would be September 10th at 6 pm to review plans and advertising. On November 15th, there will be a "Crafts in the Village" event. The Village itself is adding funding. She is meeting with Lancaster High School and the Depew carolers. She is talking to businesses about staying open, and about showcasing specific businesses. One thought is to have actors walk the street in period costumes.

Mayor Cansdale reported that Chief Stoldt was having police officers enforce the parking regulations, and that it was showing.

Joe Maciejewski and Mayor Cansdale left at 8:37 am. Linda Mallia left at 8:42 am.

Supervisor Giza reported that the Town's 175th Anniversary committee was sponsoring a ball at the Lancaster Opera House on October 4th at \$100 per couple, and that the anniversary dinner on September 16th at Salvatore's Italian Gardens promised to be well attended.

Discussion followed on opportunities in the Central Business District. Stan Keysa mentioned that at least 7 lights were out, and he will supply specifics for follow-up. Dawn Gaczewski said she would talk to Mark Gee to see what could be done.

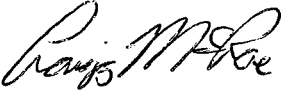
John Mikoley left at 8:53 am.

Jeff Stribing reported he had followed up on the concept of selecting an architect to assist local business owners with façade plans, that he had spoken with John Karan (who recently had a heart attack), David Sutton and Mike Meyer. All three had indicated interest, although none had given him a written proposal. Discussion followed on CBD enhancements. Jeff said he had again spoken with an individual at Iskalo, who said they were interested but were saturated right now.

The next directors meeting will be held **Wednesday, October 1st at 8 a.m. at the Village Municipal Building Board Room**; an executive committee meeting will precede the directors meeting and start at 7:30 a.m.

At 9:03 am, Linda Mallia moved to adjourn; her motion was seconded by Dawn Gaczewski unanimously approved.

Respectfully submitted,


Craig McRae, Secretary