

**A regular meeting of the Local Development Corporation (LDC) was held on Tuesday, March 24, 2009 at the Village Hall, 60 East Main Street.**

**MEMBERS PRESENT:**

President	John Holden
Vice President	Bryan Powers
Director	Thomas Walker
Director	Jack Marren
Attorney	Reid Holter
Executive Director	Kathy Rayburn
Minutes Clerk	Suzanne Paquin

**MEMBERS ABSENT:** Steve Van Dyke and Timothy Brown, Business Outreach Specialist

**OTHERS PRESENT:** Warner Fisher, Pat Palomaki, Sue Stehling, Bob Kelly, Daniel Mossien, Mary Colyer, and Robin Mazejka

Meeting was called to order by President John Holden at 8:16am.

Salute to the flag.

**Resolution #10-09LDC**  
**Acceptance of Minutes**

On a motion made by Bryan Powers, seconded by Jack Marren, the following resolution was ADOPTED 4 AYES 0 NAYS

**Resolved,** that the Local Development Corp (LDC) accepts the minutes from the meeting dated February 24, 2009.

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**Financial Report**  
**Payment of Bills**

John Holden read each of the invoices to be paid from Abstract #3. The unpaid invoices on vouchers #31-44 totaled \$3,156.60.

**Resolution #11-09LDC**  
**Payment of Bills**

On a motion made by Thomas Walker, seconded by Jack Marren, the following resolution was ADOPTED 4 AYES 0 NAYS

**Resolved,** that the Local Development Corporation has reviewed and approved invoices for payment that appear on Abstract #3, using vouchers #31-44, in the amount of \$3,156.60.

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## **Executive Director Report**

### ***Activity Report***

***Victor Job Fair*** – April 28, 2009 at Eastview Mall in the BonTon court. Ms. Rayburn has placed two ads in the Daily Messenger geared towards business owners. There will be another set of ads geared towards the applicants. The LDC is working with Ontario County Workforce Development as they did last year. There will also be A-frame signage. Ms. Rayburn noted that she is hoping that Tim Brown can make an appearance.

***Victor Business Awards*** – May 7, 2009 at Cobblestone Creek Country Club. Ms. Rayburn gave the Board their invitations. Ms. Rayburn asked if the Board members could encourage another business person from the community to attend. The invitations will be mailed soon. This year's presentation will be made by Steve Abramson, Pace Windows & Doors, 2008 Business Person of the Year.

Ms. Rayburn stated that she met with Cathy Powers, board member of the Food Cupboard, regarding ways to increase their fundraising efforts. The number of families has increased; the Food Cupboard is feeding approximately 400 families per month.

Mr. Rayburn stated that the Food Cupboard needs monetary donations to keep operations running smoothly and suggested a possibility of utilizing one of the LDC events to solicit donations. Ms. Rayburn & Ms. Powers are looking into how they could tie-in the Food Cupboard with the Victor Business Awards.

Mr. Holden suggested possibly placing an insert in the invitation noting statistics on the numbers that the Food Cupboard feeds and how to make a donation.

***Farmers' Market*** – Vendor informational meeting on April 8, 2009 at the Town Hall. There will be a presentation by Cornell Cooperative Extension. Ms. Rayburn noted that Cornell Coop Ext. has been helping her and Tracy Morgan on some new initiatives: more definitive rules, site visits to vendor farms, qualifying vendors for the market & assisting vendors with better marketing skills. The market will open on May 20<sup>th</sup> in the same location. There is the possibility of closing off part of Adams Street and moving the market to that area, but as of right now there is no power/electricity. Light poles are planned for Adams Street and after they are installed, the market may move to that location.

***New York Main Street (NYMS) Grant*** – At the last LDC meeting the Board approved contracting with Stu Brown/Labela Associates to help with the administration of the grant. Ms. Rayburn has had two meetings with Ed Flynn, Stu Brown/Labela Associates, and they went through the list of projects. Mr. Flynn made a list of any projects that needed clarification through NYS and made clear what is covered by the grant & what is not. Mr. Flynn will contact the property owners and look at the amounts to be awarded and prioritize them.

## ***End Activity Report***

### **LDC Board Member Training**

Mr. Holden stated that Ms. Rayburn received an email from NYS regarding training for LDC Board members. Mr. Holden read a portion of the email dated March 6, 2009 from the New York State Authority Budget Office:

“Pursuant to Section 2824(2) of the Public Authorities Law, all public authority board members are required to participate in state approved training covering their legal, fiduciary financial and ethical responsibilities within one year of appointment. Incumbent board members – those appointed to the board prior to January 1, 2009 – must satisfy this requirement by December 31, 2009. The purpose of the training is to prepare individuals to understand and properly execute their role as board members and to be well-versed in the principles of corporate governance and the requirements of the law.

The Authority Budget Office, through the City University of New York, offers this training at no cost to participants. We ask that you bring to the attention of the board that the following training sessions have been scheduled:

- March 27, 2009      Syracuse
- March 27, 2009      Albany
- May 8, 2009         Rochester

Additional training sessions will be added in the near future. For more information including training dates and registration please visit:

<http://www.sps.cuny.edu/publicauthorities/training.html>”

Mr. Walker noted that he did not think the LDC was considered a public authority. Ms. Rayburn stated that she felt that NYS now considers LDC Boards to be public authorities.

Mr. Holden stated that he will provide copies of the email to the Board.

### **Sycamore Hill Designs Inc – Loan Update**

Ms. Rayburn stated that at the last LDC meeting she noted that Frank Vallone, Sycamore Hill Designs (SHD), 64 School Street, had approached the LDC for a loan. SHD is also pursuing a loan through the Ontario County Economic Development Revolving Loan Fund and has been working with area banks.

Ms. Rayburn met with Mr. Holter and talked about the loan process and what would be required of Mr. Vallone. Ms. Rayburn approached Robin Mazejka, Five Star Bank, about helping the LDC with their loan process & application procedure. Ms. Rayburn & Ms. Mazejka met with Maureen Duggan, Ontario County Industrial Development Agency (IDA), and compared their loan process with the LDC’s. The Board was given copies of the revised Revolving Loan Application form. Page one is the same, applicant information and items to be provided by the applicant. Page two & three states the goals of the loan program, responsibilities of the loan committee, eligible use of loan

proceeds, creditworthiness, project feasibility, fees, and loan guidelines. Ms. Rayburn noted that Ms. Mazejka had suggested that there should be a loan committee to review all applications before presenting them to the Board for their approval.

Ms. Mazejka noted her background to the Board: Ten years on the Board of Directors for the Economic Development Agency in New Hampshire where she helped to develop their revolving loan fund.

Ms. Mazejka stated in developing the loan fund you have to have a primary goal. Ms. Mazejka reviewed the master plan and from that she derived the goals of the loan program section of the application. The reason for the revolving loan fund committee is to maintain the privacy of whoever is applying. The committee would keep any information private and make recommendations, regarding the loans approval, to the Board. Ms. Mazejka noted that someone's credit history or their ability to repay a loan would not be discussed at a public meeting. The committee should be made up of someone from the community, preferably someone who has received a loan through the LDC; an Attorney; a Banker; and possibly two other individuals. Ms. Mazejka recommended that the committee be comprised of no more than three to five individuals.

Ms. Mazejka stated that the information on the application was compiled from information previously on the application and information from Ontario County's Revolving Loan Fund program. Ontario County's intent of their loan program is to create jobs, the LDC's intent is to revitalize downtown. The application should be reviewed every six (6) months to a year to make sure that it still aligns with the LDC's intent.

Ms. Mazejka stated that there might be publicity created around the revolving loan fund. This might create more interest in the fund and then generate more revenue. Ms. Mazejka noted that the LDC should charge a minimal administration/application fee and should check with Mr. Holter regarding the amount. Ms. Mazejka noted that the Board should decide what would be done with the interest from these loans. She suggested somehow giving it back to the community once a year, this would be a good marketing incentive.

Ms. Mazejka stated that the next step would be to review the application with Mr. Holter to determine what is legal and what is not and what to establish as guidelines. Ms. Mazejka suggested that the committee be formed right away to help establish the guidelines.

Mr. Holden suggested that the committee have two of the Board members, Mr. Holter, Ms. Rayburn, and Ms. Mazejka. Ms. Mazejka noted that the loan program is an important part of the community and should be visible and used.

Mr. Holden stated that Ms. Rayburn should sit with Mr. Holter and review the criteria. Mr. Holden noted loans that the LDC has made previously.

Ms. Mazejka suggested that the Board assign someone today to coordinate the paperwork immediately and that the Board can approve and finalize it at next month's meeting. Mr. Holden noted that Ms. Rayburn would coordinate those details. Mr. Holden stated and Mr. Walker stated that they would be willing to serve on the committee as well as Mr. Holter. Ms. Rayburn stated that she would organize a meeting.

### **Resolution #12-09LDC**

#### **Formation of Victor LDC Revolving Loan Fund Committee**

On a motion made by Jack Marren, seconded by Thomas Walker, the following resolution was ADOPTED 4 AYES 0 NAYS

**Resolved**, that the Local Development Corporation authorizes the formation of the Victor LDC Revolving Loan Fund Committee to review & establish initial rules/procedures regarding loan requests, and that the committee be comprised of the following: Executive Director, Kathy Rayburn; two LDC Board members, John Holden & Thomas Walker; Attorney, Reid Holter; and Robin Mazejka, Five Star Bank.

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### **Banner Project**

Ms. Rayburn stated that the LDC has been working with the Art department at Victor Central School (VCS) to produce a new set of banners for the Village and Town. Students of all levels, primary through the high school, have been involved. Each banner for the Village will feature a different piece of artwork. The banners for the Town will feature only one or two different designs. The banners for the Village will say "Victor is....." at the top and a short saying at the bottom such as "unique" or "beautiful." The banners for the Town will say "Victor is....." at the top and "art" at the bottom.

Letters went out to business owners for sponsorships for the banners to offset the costs. Ms. Rayburn noted that she has already received a couple donations. The cost of one small banner in one design is \$85. The banners should be ready by mid-April at which time the snowflake banners will come down.

### **Friends of the Railroad (FORR) - Proposals**

Mr. Holden noted that at the last LDC meeting, the Friends of the Railroad along with Dan Mossien, Architect, presented plans for future development of the land adjacent to the railroad tracks & the Village Hall parking lot.

Mr. Holden gave a brief update regarding the progression on the land transfer between the Village and Ontario County. Last Friday, March 20, 2009, Jack Marren, Town

Supervisor, met with an Ontario County representative, Darlys McDonough, and two representatives from Finger Lakes Scenic Railway Corp.

Mr. Marren noted Ontario County is in support of the railroad. Finger Lakes Scenic Railway Corp would like to take ownership of the railroad tracks from Manchester, New York, to State Route 251. Ontario County views the freight options favorably as an area of growth from an economic standpoint. Finger Lakes Scenic Railway Corp is in favor of the land transfer between the Village and Ontario County. Concerns regarding any buildings placed on the property would be: ownership, insurance & liability, and boundary issues with the Village.

Mr. Holden reiterated the concerns regarding the placement of buildings. He noted that the property to be transferred would fall in the Urban Renewal District and that the Urban Renewal Agency (URA) could take ownership of the buildings. Mr. Holden noted that he has not consulted with the Attorney regarding this. Once the property is secured an agreement between the Friends of the Railroad and the URA could be put together. Possibly lease the property to the FORR for a \$1.00/year for X number of years, with a review/renewal every five years or so. The FORR can then continue their progress knowing that the land is secured by the Village & the URA and would guarantee them the right to place structures on the property.

Pat Palomaki, FORR, noted that their concerns right now are the power lines and who will give them permission to speak to the utility company regarding placement of buildings under the lines. Who would they speak to at Ontario County regarding this permission?

Mr. Marren noted that he gave information regarding granting of permission, along with the drawings of the proposed buildings to Darlys McDonough at Ontario County and is waiting for an answer.

The FORR presented updated plans. Mr. Mossien noted that the utility company has guidelines for building structures under power lines.

Mr. Holden noted that once the property is secured, the FORR can move forward on their building plans and also the relocation of the trolley building. Mr. Holden stated that they should meet in a smaller setting to view the drawings and discuss placement of all the buildings along with the utility company's restrictions and restroom facilities.

Pat Palomaki noted that the FORR event calendar has something every month from May to November. The kick-off weekend of May 9<sup>th</sup> & 10<sup>th</sup> will be a Blues & Brews ride, a special to benefit Tim Brown.

Ms. Rayburn stated that the FORR had requested two items for the LDC to consider. One item is that the FORR have been talking with Wes Pettee, Stu Brown/Labela

Associates, about researching what grants would be available to assist them with the railroad building project. Ms. Rayburn stated that she has a copy of the proposal from Stu Brown/Labela Associates. The proposal is to fund research into what grants are available and it would not exceed \$1,000. The FORR would like to utilize a part of the funds, from ticket sales at the 2008 Train Festival, for this research. The second item is that the FORR would like to use the remaining funds to pay Dan Mossien, Architect, for his design services. Mr. Mossien has submitted a proposal.

Ms. Rayburn restated that the FORR are requesting two payments, (1) to Stu Brown/Labela Associates to conduct grant research and (2) to Dan Mossien for design services. This would use up the funds from the 2008 ticket sales.

Mr. Holden stated that he felt it was a good idea for the FORR to pursue grant research with Stu Brown/Labela Associates. In order to be reimbursed, they would need to submit an invoice to the LDC. The letter submitted was a proposal for services and needs to be accepted by the FORR in order to start the process, and then an invoice would be generated by Stu Brown/Labela Associates.

Reid Holter suggested that the LDC be the entity to hire Stu Brown/Labela Associates to conduct the grant research as proposed.

Warner Fisher noted that the grant research was also for planning grants as well.

Mr. Holden read a portion of the proposal letter from Stuart Brown, Stu Brown/Labela Associates, dated March 19, 2009:

“Our fee for the funding search will be billed at \$85.00 per hour, and will not exceed \$1,000.00. This fee includes the identification of possible funding sources for the above referenced projects, and a recommendation as to whether a competitive application could be submitted. If we find funding sources that we feel would benefit the Friends of the Railroad, we will notify you of the potential opportunities and propose a lump sum fee to submit each application.”

The LDC Board recommended that Stu Brown/Labela Associates send the same proposal letter to the LDC. The LDC Board would then be the entity to hire Stu Brown/Labela Associates, sign the contract, and pay the invoice from the 2008 Train Festival ticket sales.

John Holden read another portion of the proposal letter:

“It is my understanding that the Friends of the Railroad are interested in pursuing the following project ideas:

1. Relocation and adaptive re-use of a waiting station, which is currently held under private ownership

2. Construction of a new train station/depot structure for potential museum and commercial uses
3. The creation and enhancement of a railroad warehouse district that may include collection, storage, and display of railroad cars
4. Retail/Commercial development building on a railroad theme
5. Collection and display of railroad artifacts

### **Resolution #13-09LDC**

#### **Hire Stu Brown/Labella Associates to Conduct a Funding Search**

On a motion made by Thomas Walker, seconded by Jack Marren, the following resolution was ADOPTED 4 AYES 0 NAYS

**Resolved**, that the Local Development Corporation enters into an agreement with Stu Brown/Labella Associates to conduct a funding search. The terms of the agreement would be identical to those set forth in the proposal letter dated March 19, 2009 to the Friends of the Railroad (FORR), except that the LDC would be the party to the agreement, rather than the FORR and that the price would not to exceed \$1,000.

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Mr. Holden stated that at the last LDC meeting, the LDC Board requested that bills be submitted for the design work that has been completed to date by Dan Mossien, Architect.

Mr. Holden noted that he has some concerns regarding how far ahead to proceed with the proposed plans for the "train park" before the property has been secured.

Dan Mossien stated that he has completed the final site plan, floor plan, and started to design what the building would look like. He would complete the rendering of the outside of the building and then not proceed further until he has met with the utility company and the property has been secured.

The Board was given copies of Mr. Mossien's proposal for Design Services.

Mr. Powers stated that Mr. Mossien only submitted a fee for the Design Development Phase of the project. Mr. Mossien did not give a breakdown of the Data Collection Phase & the Schematic Phase. The Design Development Phase has a projected cost of \$25,025.

Mr. Mossien stated that for the Data Collection & the Schematic Phases it would be approximately \$6,000. This would be part of the Design Development cost.

Mr. Marren noted that the land transfer is the key component of moving forward with the process and would like to keep the frustration level, with the lack of progress, at a minimum. The FORR has an aggressive schedule, Finger Lakes Scenic Railway Corp is excited about coming to Victor, and hopefully the process can move more quickly.

Mr. Powers noted that the LDC has authorized Stu Brown/Labela Associates to conduct research for funding sources; once they are identified the Design Development Plans will be necessary to make application for the funding sources.

Mary Colyer, Chairperson of the Urban Renewal Agency (URA), noted that no one has approached the URA to present plans or ask for assistance particularly if the URA is to be owner of the property.

Mr. Holden stated that he has had discussions with Ms. Colyer since the property is within the URA District. The confusing element is that funding is being requested through the LDC from the initial 2008 Train Festival. If the Village Board or the LDC decides that this is a good project for the URA, then presentations would be made to them for their consideration.

Mr. Holden stated that at this point it has been all discussion and has not been sorted out "who" is going to do "what." Mr. Holden suggested a meeting with the principles of the URA, LDC, FORR, and a representative from the Village Board to sort out who is going to be responsible for the "Train Park" and the buildings and how will it work.

Mr. Holden requested that Mr. Mossien submit an invoice for his costs to date and the LDC will reimburse a portion of that cost. The funds will be reimbursed from the 2008 Train Festival ticket sales as well as the funding research fee for Stu Brown/Labela Associates.

Discussion followed regarding: the research of funding sources, which entity they might be available to – the LDC, URA, or the Village; which entity might take the lead on the project; who will own the buildings; to clearly define the revenue course; bathroom facilities; and continue working to move the trolley building.

The FORR noted that a portion of the ticket sales from each event will be put back into the project.

Mr. Holden reiterated that Mr. Mossien submits an invoice for his services and that a meeting will be scheduled with the principles of the URA, LDC, FORR, and a representative from the Village Board to determine who will be the lead on the project.

Mr. Holden noted that the next LDC meeting will be on April 28, 2009 and that Mr. Mossien should submit his invoice before then.

### **President Report**

Mr. Holden stated that he would like to go into Executive Session to discuss a possible real estate transaction.

*Recess at 9:40am*

*Reconvene at 9:50am*

Discussion followed regarding the future of train excursions, what has taken place so far, and how the process might work in the future.

**Executive Session**

On a motion made by Bryan Powers, seconded by Thomas Walker, the following resolution was ADOPTED 4 AYES 0 NAYS

**Resolved,** that the Local Development Corp will enter into executive session to discuss a possible real estate transaction; Kathy Rayburn, Reid Holter, Attorney; and Mary Colyer, Urban Renewal Agency (URA) Chairperson, will remain. No business will be conducted after.

*Suzy Paquin exited the meeting at 9:55am*

*Jack Marren exited the meeting at 11:00am*

On motion of Bryan Powers, seconded by Thomas Walker, the following resolution was ADOPTED 3 AYES 0 NAYS

**Resolved,** that the Local Development Corp will exit out of executive session.

**Adjournment**

Meeting was adjourned on motion at 11:05am.

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Suzanne Paquin, Minutes Clerk