

July 23, 2009

Toni Connors, Nothnagle Realtor
Sam Cretekos, Nothnagle Realtor
Al Floro, Attorney-Nixon Peabody
James Legrett, CNB Financial Appraiser
Lori Mc Alees, Remax Realtor
Helen Saxby, VP CNB Mortgage Company

Dear Modock Springs Implementation Panel:

First, I want to thank you for committing to participate in this important program for our Town. Your role as an Implementation Panel member will be to help the Town's Value Protection Program (VPP) move forward. I know we have not met the schedule we initially described to you for this work.

Here is why:

We are struggling to obtain funding. The VPP as proposed is composed of several funding components – NY State funds, Town of Victor funds, and PRP (Syracusa S&G) funds. Senator Nozzolio has pledged \$250,000 from the State of NY. This funding however is in jeopardy pending the ultimate decisions on the overall state budget and overall leadership in the State Senate. The leadership of the Town of Victor has repeatedly said they are morally obligated to insure that a VPP program is in place and some meaningful funding from the Town has always been seen as a necessity to fully implement an appropriate VPP.

Syracusa Sand & Gravel has pledged \$850,000, which is by far the major funding commitment, to support the Seller Protection Program. We need to have the NYSDEC agree to postpone the reimbursement of the Modock Springs groundwater investigation costs from Syracuse Sand & Gravel until after the Seller Protection Program is up and running. NYSDEC is driven by their legislative statutes to collect this money from Syracuse Sand & Gravel to cover the costs for both the groundwater investigation and any remediation system they install. Initially, the Syracuse Sand & Gravel's pledge of \$850,000 can't fund both programs (as the \$850,000 will be paid out over 15 years).

Even though these funding hurdles are significant, we still feel confident that we will ultimately receive this anticipated funding. The NYSDEC will be presenting their recommended remedial action plan to address the Modock Spring's groundwater contamination in August. The NYSDOH will also be reporting the results of their cancer study in August. After this information is released, we feel the funding decisions will be made by NY State and the NYSDEC.

Therefore, we hope that your commitment to participate on the Implementation Panel still stands. We think that the Panel will be meeting in late August. Paul Lytle (our Environmental Advisor) will be keeping you informed on our progress.

Thank you again for your commitment to our Town and to the Modock Springs program.

Sincerely ,

Jack Marren

Town of Victor Supervisor

John Accorso

Councilman, Town of Victor