

**DRAFT**

**A regular meeting of the Local Development Corporation (LDC) was held on Tuesday, February 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

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

**OTHERS PRESENT:** Warner Fisher, John Null, Meg CHaides, John Palomaki, Pat Palomaki, Sue Stehling, Bob Kelly, Joel Richter, Dan Mossien and Pam Hogenes

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

Salute to the flag.

**Resolution #05-09LDC**

**Acceptance of Minutes**

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 Corp (LDC) accepts the minutes from the meeting dated January 27, 2009.

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**Financial Report**

**Budget Approval**

Mr. Holden noted that the 2009 Budget was presented at last month's meeting on January 27, 2009.

**Resolution #06-09LDC**

**2009 LDC Budget Adoption**

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 adopts the proposed budget for the year 2009 as presented.

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**Payment of Bills**

John Holden read each of the invoices to be paid from Abstract #2. The unpaid invoices on vouchers #13-28 totaled \$7,755.05.

**Resolution #07-09LDC**

**Payment of Bills**

On a motion made by Jack Marren, seconded by Bryan Powers, 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 #2, using vouchers #13-28, in the amount of \$7,755.05.

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Ms. Rayburn noted that the Façade Improvement Committee (FIC) had approved the application of 1 East Main Street, for improvements to the exterior stairway, last year and had been waiting for submission of paid receipts/invoices.

**Resolution #08-09LDC**

**Request for Payment - Façade Improvement Program, Marble Heritage LLP**

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

**Resolved** to approve the payment request, in the amount of \$1,500.00, from the Façade Improvement Committee towards the completed façade improvements, exterior stairway, at 1 East Main Street; payment to be made to Marble Heritage LLP.

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Ms. Rayburn stated that she would be meeting with John Holden and Robert Kelly, Chairperson FIC, later today to discuss the Façade Improvement Program for 2009. Ms. Rayburn noted that she has suggested changing the direction of the program due to the fact that the LDC recently received the New York Main Street (NYMS) Grant. Ms. Rayburn noted that most of the Façade Improvement projects would be funded through the NYMS Grant.

The Village recently revised the Sign Code and many signs are out of compliance. Ms. Rayburn would like to see the Façade Improvement funds go towards helping businesses bring their signs into compliance. Other communities have a sign "buy back" program which would be similar to the Façade Improvement Program in that it would be a 50/50 match, but geared only for signage.

The Façade Improvement Committee would make the final decision on the program for 2009.

## **Privilege of the Floor**

### ***Friends of the Railroad – Joel Richter & Dan Mossien***

Joel Richter, President of the Friends of the Railroad, thanked the LDC Board for their time. Mr. Richter introduced fellow members: Pat Palomaki, Director; Sue Stehling, Secretary; and Warner Fisher, Treasurer. Members that could not attend today: Dave Wright, Vice-President; and Charlie Hoffman, Director. Mr. Richter introduced Dan Mossien, Architect, who would be presenting some concepts of the Friends of the Railroad.

Mr. Richter stated that the Friends were here to ask for the release of the funds, revenue from the inaugural train festival ticket sales in 2008, so that the planning process can start for the train park area.

*Reid Holter entered the meeting at 8:29am*

Mr. Richter noted two documents that were passed out to the Board. One is the proposed 2009 event calendar for train excursions and the other is a feasibility study.

The study titled, Cortland-Binghamton Passenger Train Study: An Examination of the Feasibility of Operating Tourist Excursions on the NY Susquehanna & Western Rail Line, dated July 2008, was done with help from a grant. Mr. Richter feels that the study, in a number of areas, parallels what is taking place in the Victor community. Mr. Richter would like the Board to review the study and contact him if they have any questions.

Mr. Richter noted that the passenger rides are a leisure experience, enjoyed by young and old alike and are extremely family oriented. The current generation considers the train as a "ride" and not a means of travel.

Mr. Richter noted that on the proposed calendar of events for 2009, a significant number of train excursions are planned for Victor. Approximately 45 different events consisting of weekend excursions, themed rides, and a weekly commuter train, from Geneva & Canandaigua, with Victor as either the starting or the destination point. Mr. Richter stated that there will be out-of-town groups. The Appalachia Railroad Museum will be coming in May specifically to ride the Finger Lakes Railroad over a three day period and they will be stopping in Victor.

Mr. Richter noted that the schedule was still in negotiations and excursions/events might be added. The estimated number of passengers for these events is 7,500 with estimated revenue of \$75,000 in ticket sales. Mr. Richter noted that he met with Mitch Donovan, Victor Chamber of Commerce President, regarding the proposed schedule of events and the potential influx of customers. Mr. Richter noted that the Friends will be partnering with a number of other groups. Sponsoring selected excursions will be the Victor Hiking Trails and the Victor Historical Society. There will be field trips with Victor Central Schools.

Mr. Powers asked about the revenue from the excursions. Mr. Richter noted that the \$75,000 was gross revenue and that the Finger Lakes Railway Corp would deduct their expenses from that and the Friends would receive a percentage. The percentage is still in negotiations.

Dan Mossien presented plans to build a 3,000 square foot train station. The station would be located at the rear of the parking lot. In the station would be public restrooms and a small serving kitchen. Along the tracks heading towards Maple Avenue a passenger waiting area would be built and if funding allows, also a gazebo and a freight station. Mr. Mossien stated that they would work with the utility company as the structures would be under the power lines, but they need written permission from the property owner in order to do so. Mr. Mossien noted that he would be designing the station and then would work with the utility company on how to position it on the site. The size of the station is yet to be determined. It would be based on how the building would be used. Mr. Mossien passed around pictures of the proposed train station; the building would have a historic look.

Mr. Holden asked if a location on the site has been found for the old "trolley building." Mr. Mossien noted that it will be located if the structure can be moved. Discussion followed regarding how the "trolley building" could be moved. Mr. Mossien noted that they will work with the school and the Boy Scouts and train the students/scouts on how to measure buildings and the significance of trusses and joists.

Mr. Powers noted that all the elevations are at the grade of the railroad, how will it be designed to be ADA compliant? Mr. Mossien described the various levels of the ground and how they will be factored in to the design of the station. Mr. Richter noted that no other community along the rail line is planning an ADA accessible ramp.

Mr. Walker asked what the passengers were going to do once they get to Victor. Mr. Richter stated that was why he met with the Victor Chamber of Commerce. One idea would be to bus passengers to the mall or a route to Valentown Museum/Historical Society. Mr. Holden suggested looking into the C.A.T.S. (County Area Transit System) bus.

Mr. Holden noted that the first step is to secure the property. The Village is in the process of obtaining the property from Ontario County.

Mr. Holden asked if there was an estimated cost of each portion of the project available. Mr. Mossien stated that he could do a phasing plan along with construction costs and fundraising plans, but first he needs written permission from the property owner so that he can talk to the utility company about their building restrictions.

Mr. Richter stated that the other item that is being requested is the release of the funds from last year's train excursion, approximately \$4,270 from ticket sales.

Mr. Holden requested that Mr. Mossien provide an initial phasing/timeline plus an idea of funding.

Ms. Rayburn asked if Mr. Mossien has put together an estimate of his time that has been spent on the project to date. Mr. Mossien stated that he has not. Mr. Holden requested that Mr. Mossien submit a proposal to the LDC for funds.

Discussion followed regarding ingress and egress from Maple Avenue. Mr. Holden suggested that Mr. Mossien meet with the Director of Public Works to discuss the drainage area.

Mr. Richter noted that the train park area is Phase I of the overall plan; there are more plans to improve the area along the railroad tracks from Adams Street to School Street.

Mr. Holden suggested that the Friends put together a timeline & phase proposal and for Mr. Mossien to submit his estimated costs for the project and submit both to the LDC Board for their review.

## **Executive Director Report**

### ***Activity Report***

***Victor Job Fair*** – The Job Fair will be held on April 28, 2009 at Eastview Mall in the Bon-Ton Court area. Tim Brown, Business Outreach Specialist, held the first Victor Job Fair last year. The LDC is the sponsoring organization and will work in conjunction with Ontario County Workforce Development. Ms. Rayburn will advertise to employers and potential candidates. Last year 40 businesses participated with approximately 200 candidates.

***Victor Business Awards*** – The awards will be held on Thursday, May 7, 2009 at Cobblestone Creek Country Club. An awards selection committee was formed and met in February. The committee consists of Samantha Johnson, Canandaigua National Bank; Jim Armstrong, Ontario County IDA; and Steve Abrahamson, Pace Window & Door; Tracy Morgan, Elegance-Weddings & Events; and Ms. Rayburn. The committee reviewed the awards categories & criteria and will meet again in March with nomination ideas. Ms. Rayburn noted that the nomination packet is available on the LDC website along with the list of categories plus last year's winners. Ads were also placed in the Victor Herald & the Daily Messenger.

***Business Development*** – Ms. Rayburn noted that she has been working with Kevin Bruckner, property owner of 10 East Main Street, regarding a learning center that will be moving into his building. A tailor & a dry cleaner will be moving into 1 East Main

Street; a medical office company is looking at two different properties in the Town; the Grind, 54 West Main Street, is out of business and Ms. Rayburn is working with the property owner to find a new tenant. There are two businesses interested in that site.

Ms. Rayburn stated that she met with Pete Hessney, Town Councilman, and Kim Kinsella, Town Planning & Zoning Department, to discuss the vacancy listings on the LDC website. Mr. Hessney had a suggestion on how to improve the land development section. Ms. Rayburn & Ms. Kinsella are reviewing all the parcels that are available in the Town and the Village. Ms. Rayburn will give a report, regarding their progress, to the Town Board sometime in March. Ms. Rayburn noted that most of the land development areas are in the Town.

Mr. Holden stated that several years ago the LDC held a workshop with local realtors to make them aware of the development possibilities in the Town & the Village. The Code Enforcement Officer attended to discuss regulations. Mr. Holden suggested holding a similar workshop, but to include others and not just the realtors.

***End Activity Report***

***New York Main Street (NYMS) Grant*** – The committee will meet on February 25, 2009. A couple of applicants have dropped out due to lack of response. Ms. Rayburn will send out letters regarding additional information needed from some applicants. For the first round, there are ten properties.

At the last meeting Ms. Rayburn had asked the Board to hire a firm to assist with the administration of the grant. Ms. Rayburn passed around proposals from PathStone and Stu Brown/Labela Associates. Ms. Rayburn noted that both companies provide the same services. PathStone's fee is a maximum of \$1,500 per project. Stu Brown/Labela Associates' fee is \$1,250 per project, not to exceed \$20,000 for all the projects.

Mr. Powers noted that Stu Brown/Labela Associates have a relationship in the Town and they have a sense for what is going on in the Village and the Town.

**Resolution #09-09LDC**  
**To Hire Stu Brown for**

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

**Resolved**, that the LDC authorizes the Executive Director to contract with Stu Brown/Labela Associates to assist with administration of the NYMS Grant.

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***New York State Department of Environmental Conservation (NYS DEC)***  
***Technical Assistance Grant (TAG)*** – Mr. Marren stated that the Technical Assistance Grant is to assist with Modock Springs. Paul Lytle, ESL Solutions, has been instrumental

with Modock Springs on behalf of the Town of Victor. The Town of Victor approached Stu Brown/Labella Associates to assist them in obtaining the Technical Assistance Grant in the amount of \$50,000. It was discovered that neither municipality, Town or Village, could administer the grant, but an organization such as the LDC could. Mr. Marren is asking on behalf of the Town, if it would be possible to have the LDC work with Stu Brown/Labella Associates and apply for this grant and then administer the funds accordingly.

Mr. Holden stated that he would refer this to counsel to research and see if this would be something the LDC could do.

Mr. Holden read the memo dated February 4, 2009 from Wes Pettee, Stu Brown/Labella Associates:

"We have spoken with Paul Lytle, Jason Pelton of DEC, and the New York State DEC's Technical Assistance Grant Coordinator regarding the environmental characteristics of the Modock Springs site, and whether the site is eligible for assistance under the Technical Assistance Grant program. Technical Assistance Grants are citizen participation tools that are available to eligible community groups to increase public awareness and understanding of remedial activities taking place associated with the cleanup of a contaminated site. Technical assistance is provided to help the TAG recipient, and the community at large, understand the nature and extent of contamination at the eligible site, and the development and implementation of a remedy for the remediation of the eligible site. Applications are accepted on a continuous basis. The maximum amount of funding is \$50,000. There is no requirement for the applicant to provide a match to the grant.

It appears the Town could benefit from receiving Technical Assistance Grant funds through DEC; however, neither the Town nor the Village of Victor is an eligible applicant. The applicant must be a not-for-profit corporation having 501(c)(3) status under the Internal Revenue Code. My understanding is that the Modock Springs Citizens Advisory Committee is an ad-hoc committee formed by resolution of the Town Board. Therefore, the MSCAC does not appear to be a 501(c)(3) corporation. However, the MSCAC could partner with an existing not-for-profit 501(c)(3) corporation to satisfy the eligibility requirements of the grant program. One organization the Town and MSCAC might consider partnering with is the Victor Local Development Corporation. Although the LDC would be an eligible applicant, there may be other not-for-profit organizations the Town could consider.

We would be happy to sit down with representatives of the Town, the MSCAC, and the 501(c)(3) entity to discuss the objectives of the Modock Springs TAG project. Please do not hesitate to contact me if you have any questions."

Mr. Walker noted that both municipalities have a vested interest and have ongoing cancer studies.

The Board agreed that it is a good idea and will have counsel research to make sure the LDC is eligible to apply for the grant. Mr. Holter requested contact information. The Board will make a decision at the next meeting on March 24, 2009.

***Loan Request, Sycamore Hill Designs (SHD) Inc*** – Ms. Rayburn noted that the Board had received information regarding Sycamore Hill Designs Inc. Ms. Rayburn met with Frank Vallone, SHD, regarding the LDC's Revolving Loan Program. The company has been located at 64 School Street since 2007. The company provides custom firearm repair and restoration. Mr. Vallone is working with Ontario County on their revolving loan program. Mr. Vallone is looking to expand and needs to buy more equipment & add more personnel. Ms. Rayburn asked the Board for their approval, in order for her to meet with Mr. Holter and review Mr. Vallone's application/financials.

Ms. Rayburn also noted that the Board had discussed how to compensate Mr. Holter for his additional time with regards to Revolving Loan Applications, but had not decided on how to do so.

The Board agreed that Ms. Rayburn could move forward and meet with Mr. Holter to review the loan application of Sycamore Hill Designs Inc.

Mr. Holden suggested that Mr. Holter review the loan documents and put together a proposal for his compensation.

### **President Report**

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

*Recess at 9:25am*

*Reconvene at 9:30am*

### **Executive Session**

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 Corp will enter into executive session to discuss a possible real estate transaction and a personnel issue; Kathy Rayburn and Reid Holter, Attorney; will remain. No business will be conducted after.

*Suzy Paquin exited the meeting at 9:35am.*

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

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

**Adjournment**

Meeting was adjourned on motion at 10:28am.

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Suzanne Paquin, Minutes Clerk