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Tioga County Industrial Development Agency

August 2, 2017

Ronald E. Dougherty County Office Building

56 Main Street, Owego, NY 13827

Minutes

1. Call to Order and Introductions

The meeting was called to order by Chairperson R. Kelsey at 4:30 p.m.

2. Attendance

A. IDA Board Members

1. Roll Call: R. Kelsey, A. Gowan, T. Monell, K. Gillette, K. Dougherty, M. Sauerbrey, J. Ceccherelli

a. Absent:

b. Excused: K. Dougherty

2. Guests:

a. B. Myers, L. Tinney, C. Haskell, R. Curry, M. Freeze

3. Introduction: B. Myers introduced Riley Curry, as the IDA summer intern.

3. Privilege of the Floor:

J. Bellis – Freehold - J. Bellis reported the costs are unknown, therefore, the budget is slightly inflated. J. Bellis reported the contingency is high for the clearances needed, therefore, engineering costs will be higher. M. Sauerbrey inquired about the process and flood plain. J. Bellis reported it is important to get buy-in from local municipalities. J. Bellis reported there would be best practices used to find a way to do the most with this project. J. Bellis suggested finding out whether the village is interested in this project. L. Tinney reported she reached out to Jeff Soules, Village of Owego Public Works, and Steve May, Village of Owego Mayor, however, discussion has not occurred as of yet. R. Kelsey suggested L. Tinney continue discussions with the Village of Owego.

4. Project Updates

A. Crown Cork & Seal USA, Inc. – B. Myers/J. Bellis

1. Nichols WWTP/ESD – ESD agenda topic for September – B. Myers reported he worked with Sabina, Larson Design Group, and Town of Nichols to gather last minute documentation for the presentation. B. Myers will keep the IDA Board apprised on ESD's approval. J. Bellis reported a low percentage of flow from Crown Cork & Seal. J. Bellis reported the 2nd line is anticipated for September with 3rd line to follow.

B. Tioga Downs Racetrack, LLC Phase 2 & 3 – B. Myers

1. Update – B. Myers reported the hotel is anticipated to open on 11/3/17 with the conference center opening on 12/2/17.

C. Tioga Downs Racetrack, LLC Phase IV – B. Myers

1. Update –

a. Update – B. Myers reported the site is prepped for the foundation work and all underground utilities have been installed.

- D. **Gateway Project – B. Myers**
 - 1. **Update** – B. Myers reported the following:
 - a. ST Documents were sent out on 8/1/17.
 - b. Construction is tentatively scheduled for September 2017.
 - c. Agency Fee in the amount of \$28,786.39 is expected to be received.
- E. **Upstate Shredding**
 - 1. **Update** – B. Myers reported the MWBE Plan has been submitted. Site work and foundation preparation is expected to occur this week.
- F. **Owego Gardens**
 - 2. **Update** – B. Myers reported updated maps have been supplied reflecting the wetland. B. Myers reported a conference call will be scheduled with Edgemere, Home Leasing, and Fagan Engineers.
- G. **Distributed Sun –**
 - 1. **Update** – B. Myers reported he is still waiting to hear the Public Service Commission’s response regarding the NYSEG tariff. This project is on hold.
- 5. **Old Business – B. Myers**
 - A. **Public Authority Accountability Act**
 - 1. **Audit Committee Report (R. Kelsey, K. Dougherty, A. Gowan) –**
 - a. Quarterly Review – B Myers reported Jan Nolis reviewed 2017 2nd quarter transactions and found no issues or concerns. B. Myers reported J. Nolis is predicting an easy 2017 audit.
 - 2. **Governance Committee Report (R. Kelsey, K. Dougherty, J. Ceccherelli) –**
 - a. **Procurement Policy Update** - B. Myers reported J. Meagher reviewed the policy update and they are working through the Governance Committee’s recommendations. B. Myers will email final update to IDA Board and this topic will be added to the September agenda.
 - 3. **Finance Committee Report (R. Kelsey, A. Gowan, K. Gillette)**
 - a. **2018-2022 Operating Budget – August/September** - B. Myers reported a budget meeting will be scheduled for next month.
 - 4. **Swartwood – Berkshire** – B. Myers presented pictures of the Berkshire property that the IDA is currently leasing to Swartwood.

B. Housing Study

1. Update – B. Myers reported he received three (3) quotes: Danter Associates - \$39,500; Feasibility Research Group (FRG) - \$29,750; and Susan Payne - \$25,000. B. Myers reported this would be a comprehensive housing study with an economic development component. B. Myers secured participation and funding from the following:

- Tioga Opportunities, Inc. - \$2,500
- Tioga Co. Economic Development - \$3,500
- Tioga Co. Planning - \$6,500
- Tioga Co. IDA - \$12,500

It is anticipated that the housing study would commence in September and be completed by year-end.

Motion to accept the housing study quote from Susan Payne in the amount of \$25,000 (A. Gowan, M. Sauerbrey)

Aye – 6	Abstain – 0
No – 0	Carried

2. Webinar – Affordable Housing Strategies – B. Myers reported an IEDC sponsored webinar regarding affordable housing strategies will be held on 8/17/17 at 2:30 p.m. in the ED&P large conference room and all Board members are welcome to attend.

ACTION: B. Myers will send out a meeting notification inviting the IDA Board members to attend.

C. E-Site -

1. Update – B. Myers reported Fagan Engineers has supplied the IDA with the wetland maps. L. Tinney met with Amanda Spellicy, Regional Representative for Senator Schumer, regarding the challenges with the wetland issue. L. Tinney reported Ms. Spellicy will inquire as to whether the Senator can offer any assistance.

D. Lounsberry 1.2A – 540 Stanton Hill Road, Nichols, NY

1. Update -

a. Demolition – B. Myers reported LCP Group anticipates demolition to commence in the next 1-2 weeks, as they are awaiting final approval from NYSEG.

E. Lounsberry 19.8 Acres – Town of Nichols, NY

1. Update -

- a. Due-Diligence** – The due diligence period is 90 days, therefore, expiring on 10/11/17.
- i. Wetland Survey – Tioga County Soil and Water** – B. Myers reported Wendy Walsh, Tioga County Soil & Water, has recommended a full delineation. B. Myers requested a quote from Fagan Engineers, however, has not received it. B. Myers anticipates the cost to be approximately \$7,500. Once quote is received, B. Myers will email to IDA Board.
- ii. Archeological Study** – B. Myers reported this is on-going.
- iii. Bridge** – B. Myers reported a bridge issue was discovered during the archeological study. B. Myers presented pictures of the bridge and requested a quote from LDG for repair, as well as replacement.

F. NYS DOT Eminent Domain – Harford

- 1. Execute Contract** - B. Myers reported NYS DOT has made an offer of \$3,000 for the parcel located in Harford. B. Myers reviewed the contract.

Motion to accept NYS DOT's offer of \$3,000 for the parcel located in Harford and authorize Executive Director or IDA President to sign contract.

(K. Gillette, M. Sauerbrey)

Aye – 6	Abstain – 0
No – 0	Carried

G. NY Grown and Certified CFA –

- 1. Update** – B. Myers reported the joint application with Delaware County was submitted on 7/28/17. This grant is for \$500,000 over the course of 5 years to assist farmers with capital purchases to become AEM and GAP certified. L. Tinney reported this CFA is competitive across 8 counties with only 1 grant award. L. Tinney reported she is aware of only one other entity; Broome County CCE who submitted an application. L. Tinney reported she believes our joint application with Delaware County is competitive in that it shows a regional approach and partnership.
- a. Tioga Downs** - B. Myers reported Tioga Downs has offered to commit the 10% grant match in the amount of \$10,000 per year over the course of the 5 year grant for a total contribution of \$50,000.

6. **PILOT Updates – B. Myers**

- A. **Gateway Closing** – B. Myers reported closing is scheduled for 8/18/17 at 10:00 a.m. in J. Meagher’s office.
- B. **Ameresco Solar** – B. Myers reported this is a 20 megawatt facility located on 4 parcels on the Southside of Owego. B. Myers reported Ameresco is currently gathering all of their approvals and is in contact with the Town of Owego, as they will require a special use permit. They are currently in the due diligence process and this could be an IDA project.
- C. **Village PILOT Bills** – B. Myers reported PILOT bill has been sent to 231 Main LLC. B. Myers reported the Owego Gardens payment will be made once school payment information is known.

7. **New Business – B. Myers**

- A. **Reaffirm Email Vote for Archeological Study –
Motion to reaffirm email vote on archeological study (T. Monell, M. Sauerbrey)**
Aye – 6 Abstain – 0
No – 0 Carried
- B. **TCIDA Strategic Plan** – B. Myers reported this is ongoing
- C. **Town of Richford Walking Path** – B. Myers reported there is no update as of yet other than they are working on the construction drawings.
- D. **IEDC Class** – B. Myers reported there is a Real Estate Development & Re-Use class being held in San Diego, CA on 11/30/17 and 12/1/17. B. Myers reported this is a core class for IEDC certification. B. Myers reported total cost to attend is \$1300.00, which includes flight and hotel.
Motion to approve B. Myers’ attendance at the IEDC Real Estate Development & Re-Use Class in San Diego, CA on 11/30/17 and 12/1/17 at a cost not to exceed \$1,300. (J. Ceccherelli, K. Gillette)
Aye – 6 Abstain – 0
No – 0 Carried
- E. **Industrial Hemp** – L. Tinney reported ED&P is actively seeking manufacturing opportunities with industrial hemp, as part of the Governor’s recent legislation. L. Tinney reported she sent educational materials to the IDA Board regarding what industrial hemp is and how it can be used.
- F. **Shredding of Old Documents** – B. Myers reported he received a quote in the amount of \$300.00 for shredding of old documents. R. Kelsey approved this expenditure on 7/31/17.

8. **Approval of Minutes –**

A. July 12, 2017 Regular Meeting Minutes

Motion to approve the July 12, 2017 Regular Board Meeting minutes

(J. Ceccherelli, T. Monell)

Aye – 6 Abstain – 0

No – 0 Carried

B. July 12, 2017 Governance Committee Meeting Minutes

Motion to approve the July 12, 2017 Governance Committee Meeting minutes

(J. Ceccherelli, T. Monell)

Aye – 6 Abstain – 0

No – 0 Carried

10. **Financial Reports –** B. Myers presented the financial reports and noted the final payment to LDG and Vacri for the WWTP.

A. Reports

1. **Balance Sheet –**

2. **Profit & Loss –**

3. **Transaction Detail –**

Motion to acknowledge financial statements (A. Gowan, T. Monell)

Aye – 6 Abstain – 0

No – 0 Carried

11. **Reports**

A. Railroads – B. Myers

1. **Committee Report (T. Monell, K. Gillette)**

a. Income to Date – B. Myers reported the income to date is \$3,000 over last year.

b. NYS DOT Invoice – OHRY – B. Myers reported Steve May will be paying this invoice.

B. Loan Program – B. Myers

1. Committee Report (R. Kelsey, A. Gowan, K. Dougherty, D. Barton, S. Thomas) –

a. Ford – Commercial Façade Loan Application – B. Myers reported the Loan Committee met just prior to this meeting to review a facade loan application request for 97-99 Central Avenue, Owego, NY. B. Myers reported the Façade Loan request is for \$18,288 at 0% for 6 years. B. Myers reported the funding will be used for a replacement roof, replacement of front siding and windows. B. Myers reported the Loan Committee recommended approval for this loan with the following terms/conditions:

- \$18,288.00 loan at 0% fixed interest for six (6) years (\$254.00/month)
- Glenda Ford shall provide unconditional personal guarantees.
- Loan funds will be used to reimburse up to \$18,288.00 for 90% of total project cost of \$20,358.00 for exterior renovations of 97-99 Central Avenue, Owego
- Key person Life Insurance on Glenda Ford at least in the amount of the outstanding debt and assigned to the Tioga County Industrial Development Agency shall be provided. A provision can be made for the insurance to decline as the loan is repaid, retaining an insured amount on the policy equal to the amount of the declining loan balance.
- Collateral includes 1st security interest on the real property located at 97-99 Central Avenue, Owego, NY.
- All applicable local, state and federal requirements to apply.

Motion to accept Glenda Ford’s façade loan application in the amount of \$18,288 for the property located at 97-99 Central Ave., Owego, NY, as recommended by the Loan Committee (T. Monell, M. Sauerbrey)

Aye – 6 Abstain – 0
No – 0 Carried

b. Loan Updates –

- i. **Elston** – Interior demolition is completed and renovation is scheduled to start 8/11/17.
- ii. **Stiletto’s** – Work is completed and they are moved into their new location. B. Myers is doing a site visit on 8/15 at 10:00 a.m. and will take pictures to present at a future IDA meeting.

c. Admin Fee – B. Myers reported he reviewed the financial projections for next year and based on the growth of the loan program is proposing a 1% administrative fee of the monthly payments upon USDA approval. J. Meagher is reviewing the language.

R. Curry exited the meeting at 5:34 p.m.

12. Executive Session –

Motion to move into Executive Session at 5:34 p.m. pursuant to Public Officers Law Section 105 to discuss financial, property acquisitions, and individual personnel matters. (T. Monell, J. Ceccherelli,)

Aye – 6 Abstain – 0
No – 0 Carried

Motion to exit Executive Session at 5:54 p.m. (J. Ceccherelli, K. Gillette)

Aye – 6 Abstain – 0
No – 0 Carried

13. Next Meeting – Wednesday, September 6, 2017

14. Adjournment –

Motion to adjourn at 5:54 p.m. (J. Ceccherelli, K. Gillette)

Aye – 6 Abstain – 0
No – 0 Carried