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Tioga County Industrial Development Agency
September 13, 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 Vice-Chairperson K. Dougherty 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: M. Sauerbrey, R. Kelsey

2. Guests:

a. B. Myers, C. Haskell, J. Meagher, J. Platsky, N. Ahern, M. Freeze

J. Meagher arrived at 4:32 p.m.

3. Privilege of the Floor: None

4. Project Updates

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

1. Update -

2. Nichols WWTP/ESD – B. Myers reported this topic is on the ESD agenda for 9/19.

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

1. Update – B. Myers reported Tioga Downs is currently on schedule with more than 55% project completion. B. Myers reported the hotel is slated to open in November with the conference center opening slated for December.

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

1. Update –

a. Update – B. Myers reported the foundation work is progressing and the project is moving along.

- D. **Gateway Project – B. Myers**
 - 1. **Update** – B. Myers reported the following:
 - a. Groundbreaking is scheduled for 9/22/17 at 2:30 p.m. at the site.
 - b. PILOT Closed on 8/30/17.
- E. **Project Freehold**
 - 1. **Update** – B. Myers reported this project is currently on hold due to a municipality's position on economic development projects.
- F. **Upstate Shredding**
 - 1. **Update** – B. Myers reported the project is ongoing.
- G. **Owego Gardens**
 - 1. **Update** –
 - a. **Belva Lockwood Lane** – B. Myers reported Home Leasing needs proof that the road was transferred over to the Village of Owego. B. Myers reported it was known from the beginning that the Village of Owego would acquire road, as it was built to their specifications. Discussion ensued between IDA and Village of Owego attorneys with the acknowledgement that Village of Owego attorney, Bob McKertich, would discuss road transfer with the Village of Owego Department of Public Works.
- H. **Distributed Sun –**
 - 1. **Update** – B. Myers reported this project is on hold until Spring. A formal update from the company is forthcoming.
- 5. **Old Business – B. Myers**
 - A. **Public Authority Accountability Act**
 - 1. **Audit Committee Report (R. Kelsey, K. Dougherty, A. Gowan) –**
 - a. Nothing new to report.
 - 2. **Governance Committee Report (R. Kelsey, K. Dougherty, J. Ceccherelli) –**
 - a. **Procurement Policy Update -**
Motion to approve the Procurement Policy update as presented.
(J. Ceccherelli, A. Gowan)
Aye – 5 Abstain – 0
No – 0 Carried
 - 3. **Finance Committee Report (R. Kelsey, A. Gowan, K. Gillette)**
 - a. **2018-2022 Operating Budget** –B. Myers presented the budget and the Board requested a few minor revisions. B. Myers will send out an updated version once the revisions are made.
 - B. **Housing Study**
 - 1. **Update** – B. Myers reported he is working with ED&P and the consultants on workforce surveys. To date, over 30 local large employers have been surveyed.
 - C. **E-Site -**
 - 1. **Update** – B. Myers reported Senator Schumer's office is assisting with the wetland issues. Fagan Engineers is having a difficult time in regards to how to proceed. Army Corp. of Engineers (ACOE) needs to re-visit, but date has not been scheduled.
 - D. **Lounsberry 1.2A – 540 Stanton Hill Road, Nichols, NY**
 - 1. **Update -**
 - a. **Demolition 8/24/17** – B. Myers reported the property was demolished on 8/24/17 and the property was mowed free of charge by the Engelbert's.

E. Lounsberry 19.8 Acres – Town of Nichols, NY

1. Update -

α. Due-Diligence – As noted in last month’s minutes, the due diligence period is 90 days, therefore, expiring on or around 10/11/17.

i. Wetland Delineation Map– B. Myers reported the wetland would remain IDA property in the event the property is parceled off.

ii. Archeological Report – B. Myers reported SHPO has issued a No Impact Letter.

iii. Bridge Replacement Estimate – B. Myers reported LDG is providing the cost estimate.

F. NYS DOT Eminent Domain – Harford – B. Myers reported documentation has been executed and the check was received. B. Myers contacted the insurance company to remove the property from the IDA policy.

G. Strategic Plan – B. Myers reported the draft Strategic Plan has been completed and he is currently in the process of reviewing the plan with the IDA Chairperson.

H. ED&P Update - B. Myers reported dark fiber has been completed and the IDA is currently in the process of looking for companies to participate.

6. PILOT Updates – B. Myers

A. New Reports for Taxing Authorities –

1. Ameresco – B. Myers reported a conference call is scheduled for 9/25/17 with the assessor.

2. School PILOT Bills – B. Myers reported school PILOT bills were sent on 9/6/17.

3. Payment for Lump Sum PILOT Payments Disbursed –

4. Nichols Cross Dock Inquiry – B. Myers reported the contract was executed in 2016 with a change order execution in 2017. B. Myers reported Nichols Cross Dock is in need of an extension. Board members were in favor of granting an extension until year-end 2017.

Motion to approve Nichols Cross Dock extension until December 31, 2017.

(K. Dougherty, T. Monell)

Aye – 5	Abstain – 0
No – 0	Carried

7. **New Business – B. Myers**

A. **Reaffirm Email Vote for the following:**

1. **Wetland Delineation – Fagan Engineers –**

Motion to reaffirm email vote for wetland delineation through Fagan Engineers for a cost not to exceed \$6,500 (J. Ceccherelli, K. Gillette)

Aye –5 Abstain – 0

No – 0 Carried

2. **Agency Fee Gateway – Two Payments –**

Motion to reaffirm email vote for the Gateway agency fee to be divided into two payments (J. Ceccherelli, K. Gillette)

Aye –5 Abstain – 0

No – 0 Carried

B. **Expired Leases**

1. **Locations/Rates** – B. Myers reported on the status of the expired leases noting three are currently expired. B. Myers reported all leases are renewed month-to-month according to the lease. Board members requested B. Myers provide detailed information such as lessee, amounts, expiration dates, and description of properties followed by an ongoing annual review.

B. Myers will gather the requested information in regards to lessee, amounts, expiration dates, and description of properties pertaining to the IDA leases and forward to the IDA Board followed by an ongoing annual review.

C. **Minka Tour – 9/8/17** – B. Myers reported he, along with the ED&P staff, toured the Minka home located on Cayuga Lake on 9/8/17. Pictures were shared with the IDA Board. B. Myers reported the pictures do not do the home justice. B. Myers reported it is possible to set up another visit in the event IDA Board members are interested. Concern was expressed that we make sure there is a need for this type of housing. It was acknowledged that this project will be developer-driven, therefore, the developer will be responsible for ensuring housing market need.

8. **Approval of Minutes –**

A. **August 2, 2017 Regular Meeting Minutes**

Motion to approve the August 2, 2017 Regular Board Meeting minutes

(J. Ceccherelli, A. Gowan)

Aye – 5 Abstain – 0

No – 0 Carried

B. **August 2, 2017 Loan Committee Meeting Minutes**

Motion to approve the August 2, 2017 Loan Committee Meeting minutes

(A. Gowan, T. Monell)

Aye – 5 Abstain – 0

No – 0 Carried

9. **Financial Reports –**

A. Reports – B. Myers reported the PILOT payments for Owego Gardens, Crown Cork & Seal, and Best Buy are referenced on the financial reports, as well as the studies and expenses associated with the Berry Property demolition.

1. **Balance Sheet –**

2. **Profit & Loss –**

3. **Transaction Detail –**

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

Aye – 5 Abstain – 0

No – 0 Carried

10. **Reports**

A. Railroads – B. Myers

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

a. Income to Date – B. Myers reported the railroad income is slightly less than last year at this time.

b. NYS DOT Bridge Inspection – Waiver Forthcoming – B. Myers reported he spoke with Steve May who is requesting the IDA support the waiver that is forthcoming. Board members were in favor of the waiver contingent upon IDA Attorney's review.

Motion to approve the NYS DOT Bridge Inspection Waiver contingent upon IDA Attorney's review. (A. Gowan, T. Monell)

Aye – 5 Abstain – 0

No – 0 Carried

B. Loan Program – B. Myers

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

a. Elston Update – B. Myers reported the Broad Street Barbershop anticipates opening on 10/1/17. K. Dougherty reported this project is progressing and is a good project for the area.

b. Ford Update – B. Myers reported Phase I of this façade project has been completed with the installation of a new roof.

11. Executive Session –

Motion to move into Executive Session at 5:28 p.m. pursuant to Public Officers Law Section 105 to discuss financial, property acquisitions, and individual personnel matters. (J. Ceccherelli, K. Gillette)

**Aye – 5 Abstain – 0
No – 0 Carried**

Motion to exit Executive Session at 5:55 p.m. (J. Ceccherelli, T. Monell)

**Aye – 5 Abstain – 0
No – 0 Carried**

Motion to approve the pit survey submitted by Williams & Edsall for Project Freehold at a cost not to exceed \$2,100. (J. Ceccherelli, K. Gillette)

**Aye – 5 Abstain – 0
No – 0 Carried**

Motion to table Larson Design Group (LDG) Change Order until October 4, 2017 meeting and maintain current contract amount of \$9,850.

(J. Ceccherelli, K. Gillette)

**Aye – 5 Abstain – 0
No – 0 Carried**

13. Next Meeting – Wednesday, October 4, 2017

14. Adjournment –

Motion to adjourn at 6:03 p.m. (J. Ceccherelli, T. Monell)

**Aye – 5 Abstain – 0
No – 0 Carried**