

Tioga County Industrial Development Agency
August 7, 2019 • 4:30 p.m. • Ronald E. Dougherty County Office Building
56 Main Street, Owego, NY 13827

Regular Meeting Minutes

- I. **Call to Order and Introductions** – Chairman R. Kelsey called the meeting to order at 4:30 p.m.
- II. **Attendance**
IDA Board Members:
A. Roll Call: R. Kelsey, A. Gowan, J. Ceccherelli, K. Gillette, M. Sauerbrey, E. Knolles, T. Monell
B. Absent: None
C. Excused: None
D. Guests: C. Curtis, J. Meagher, M. Freeze, C. Haskell (*arrived @ 5:00 p.m.*), Susan Payne (*departed @ 5:18 p.m.*)
- III. **Privilege of the Floor** – Susan Payne presented the Fourth Wave Initiative for Economic Development Opportunities in Battery Technology and the Energy Storage Sector. Tioga County IDA are investors in this initiative, therefore, wanted to present information and preliminary deliverables to the Board.
- IV. **Approval of Minutes**
A. July 10, 2019 Regular Meeting Minutes
Motion to approve July 10, 2019 regular meeting minutes, as written.
(T. Monell, K. Gillette)
- | | |
|----------------|--------------------|
| Aye – 7 | Abstain – 0 |
| No – 0 | Carried |
- V. **Financials** –
A. Balance Sheet
B. Profit & Loss
C. Transaction Detail; Cash Accounts Only
Motion to acknowledge financials, as presented. (T. Monell, A. Gowan)
- | | |
|----------------|--------------------|
| Aye – 7 | Abstain – 0 |
| No – 0 | Carried |

D. Lease Billings - C. Curtis reported she is in the process of tracking lease billings for railroad and other IDA-owned properties.

ACTION: C. Curtis will provide the IDA Board with a status report at the September meeting.

E. V&S Payments – C. Curtis reported V&S payments are currently being made out of the general checking account, however, would be more appropriate to utilize the Industrial Park account.

ACTION: C. Curtis will do the necessary adjustments to move the V&S payments from the general checking account to the Industrial Park account and going forward will process all remaining payments from the Industrial Park account.

F. Tioga State Bank Checking Account – C. Curtis reported the account is currently at \$356,000, which is higher than the standard \$150,000 allowance deemed by the IDA Board. C. Curtis recommended the IDA Board allow her to transfer the excess funds over \$150,000 from the Tioga State Bank checking account to ICS account.

Motion to approve Christine Curtis to transfer the excess funds over \$150,000 from the Tioga State Bank checking account to the ICS account. (A. Gowan, T. Monell)

Aye – 7

Abstain – 0

No - 0

Carried

ACTION: Finance Committee will draft a policy for IDA Board approval regarding the transference of funds in excess of \$150,000 in the Tioga State Bank checking account to the ICS account.

VI. Project Updates:

A. Best Buy Sales Tax Agreement – C. Curtis reported this sales tax agreement authorizes \$352,517.68 in sales tax exemption. The agreement is currently awaiting Best Buy’s signature for full execution.

B. V&S Construction – C. Curtis reported construction is in progress.

C. Owego Gardens II Purchase and Sales Agreement – C. Curtis reported the purchase and sales agreement has been issued and is awaiting Owego Gardens II signature for full execution.

VII. New Business: C. Curtis

A. New York State Economic Development Council Membership – C. Curtis requested IDA Board consideration and approval to continue the annual membership of \$750.00.

L. Tinney reported the NYS Economic Development Council provides specific IDA training that she found beneficial, therefore, encouraged the IDA to consider maintaining this membership and for C. Curtis to attend the appropriate trainings.

Motion to approve C. Curtis to pay the annual membership dues of \$750.00 to the NYS Economic Development Council (K. Gillette, A. Gowan).

Aye – 7

Abstain – 0

No - 0

Carried

B. Hess Site Development Considerations for Housing/Manufacturing – L. Tinney reported

there is potential development for housing versus manufacturing on one parcel located in the Town of Nichols. L. Tinney reported she met with Town of Nichols Supervisor Engelbert who expressed disfavor of housing development and would like to maintain this parcel for industrial use. L. Tinney reported the discussion for housing on this parcel is currently on hold and Mr. Engelbert suggested other potential properties for housing development. L. Tinney reported the process will start to change zoning for three properties in this vicinity for future housing development prospects and Mr. Engelbert is in support of this endeavor. This proactive approach will eliminate potential delays in the event a prospective housing developer is interested in the properties.

- C. FOIL Request from Melvin & Melvin, PLLC – C. Curtis reported Melvin & Melvin, PLLC officially submitted a FOIL request on 7/19/19 regarding Upstate Shredding and their two parcels. C. Curtis drafted the initial response indicating the IDA will provide a final response by 9/2/19 ensuring compliance within the 45-day timeframe.
- D. V&S Sales Tax Exemption Extension Request – C. Curtis reported she received a letter of request for an extension on their current sales tax exemption that is set to expire on 8/21/19. The extension request is for 12/31/19.

Motion to approve V&S sales tax exemption extension request from the original date of expiration of 8/21/19 to 12/31/19. (A. Gowan, K. Gillette)

Aye – 7

Abstain – 0

No - 0

Carried

Old Business: C. Curtis

- E. Public Authority Accountability Act (PAAA)
 - 1. Audit Committee Report: R. Kelsey, A. Gowan, E. Knolles
 - a. NYS Comptroller Audit – C. Curtis reported this audit is still ongoing with the latest request to supply sales tax exemption information for six companies. To date, C. Curtis has submitted information for three of the six companies with information for the remaining three companies to be sent on 8/8/19. C. Curtis anticipates the State Comptroller’s Office to issue a final report following this latest request.
 - b. Audit RFP – C. Curtis distributed the audit RFP on 6/26/19. To date, C. Curtis reported proposals have been received from The Bonadio Group and Insero & Co. with one remaining proposal still anticipated.
 - 2. Governance Committee: J. Ceccherelli, A. Gowan, R. Kelsey
 - a. Oath of Office – C. Curtis reported all IDA Board members are required to complete an oath of office to have on file with the County Clerk’s office. Oaths were issued and notarized on this date by all Board members for filing with the County Clerk.
 - b. Sexual Harassment Training – J. Ceccherelli reported she, R. Kelsey, and C. Curtis will be attending the required training through the Chamber of Commerce. L. Tinney reported there has been conflicting information as to whether training from outside entities will be accepted. C. Curtis requested the County Attorney’s opinion in writing on this subject and, to date, has not received a response. L. Tinney reported the training facilitator for the

Chamber of Commerce is available to do the required training for the IDA for \$100.00.

Finance Committee: R. Kelsey, A. Gowan, and K. Gillette

c. Nothing to report.

VIII. PILOT Updates: C. Curtis

A. Potential PILOT Collapse for Nichols Distribution/Best Buy 2002 PILOT – C. Curtis reported Best Buy recently filed a tax grievance and was successful in reducing their assessment from \$14 million to \$4 million, therefore, is possibly interested in collapsing their IDA PILOT that is scheduled to expire in 2023. The new tax bill at 100% would be equal or less than their current PILOT payment.

B. Sales Tax Exemption Update

1. V&S New York Galvanizing – C. Curtis reported V&S was authorized for \$691,280 and only used \$135,185.72.
2. Spencer-Tioga Solar – C. Curtis reported Spencer-Tioga Solar was authorized for \$1,345,972.72 and only used \$342,188.98.
3. Gateway – C. Curtis reported this project is completed using only \$60,568.55 of their authorized \$110,907.00.

C. Curtis will be providing monthly procurement reports for the IDA Board to review.

R. Kelsey reported he is interested in seeing a comparison of acreage and megawatts for all solar projects in Tioga County.

IX. ED&P Update: L. Tinney

- ✓ Regional Economic Development Council – Currently, L. Tinney is the only Tioga County member with voting rights, therefore, recently submitted four individuals for Council consideration for an additional board member.
- ✓ V&S – Construction is progressing and a groundbreaking event is anticipated for September. L. Tinney reported IDA received verbal commitment for the \$300,000 CAP funds for the water and sewer extension and approval to go out to bid, but waiting for written commitment from the State Department of Budget. L. Tinney reported Fagan Engineers is assisting with the bid package that is anticipated to go out on 8/12/19 with a due date of 9/3/19. L. Tinney reported the engineering expenses would be covered by the CAP funds. L. Tinney is continuing to work on the MWBE requirements.
- ✓ Hemp Project – L. Tinney reported this is a privately funded project at the Waverly warehouse.
- ✓ Cabinets by Marciano – L. Tinney reported this business is currently located in the former Stakemore facility on Elm Street, Owego. L. Tinney reported they are possibly interested in applying for IDA assistance for roof and other repairs.
- ✓ Consolidated Funding Applications (CFA) – L. Tinney reported thirteen applications were submitted in comparison to last year's six. The Regional Economic Development Council Executive Board will rate the applications on 8/12/19.
- ✓ Land Bank – To date, L. Tinney reported three houses in Owego and two houses in Waverly have been demolished. Four additional home demolitions are expected

- to occur in Waverly with all demolitions expected to be completed by mid-August.
- ✓ Restore NY (Owego and Waverly) – currently underway and going well.
 - ✓ DRI Announcement is tomorrow at 1:00 p.m. where Lt. Governor will announce the funded projects. Invitations were extended to the IDA Board members and those wishing to attend need to RSVP.
 - ✓ 2020 Census Complete Count Committee – L. Tinney reported Planning Director Jardine is spearheading the effort that is currently underway.
 - ✓ Chamber of Commerce Economic Forum is scheduled for 10/16/19 and L. Tinney will be one of the presenters. As the date gets closer, additional information will be available.

X. Motion to move into Executive Session pursuant to Public Officers Law Section 105 at 5:52 p.m. to discuss financial matters. (T. Monell, K. Gillette)

Aye – 7

Abstain – 0

No – 0

Carried

T. Monell motioned to adjourn Executive Session adjourned at 5:56 p.m.

XI. Next Meeting: Wednesday, September 4, 2019 at 4:30 p.m. in the Legislative Conference Room.

XII. Adjournment – T. Monell motioned to adjourn the meeting at 5:56p.m.

Respectfully submitted,

Cathy Haskell

IDA Executive Assistant