



**Tioga County Industrial Development Agency
December 4, 2019 • 4:30pm•
Ronald E. Dougherty County Office Building
56 Main Street, Owego, NY 13827
Agenda**

Call to Order and Introductions

Attendance

IDA Board Members

Roll Call: M. Sauerbrey, E. Knolles, J. Ceccherelli, K. Gillette, A. Gowan

Absent:

Excused: R. Kelsey, T. Monell

Guests: C. Curtis, C. Haskell, L. Tinney

Privilege of the Floor: M. Griffiths

Approval of Minutes

A. [November 6, 2019 Regular Meeting Minutes](#)

Financials

A. [Balance Sheet](#)

B. [Profit & Loss](#)

C. [Transaction Detail](#)

ED&P Update: L. Tinney

A. [REAP](#)

Project Updates: C. Curtis

A. V&S

1. Capital Assistance

a. MWBE waiver approved

B. DRI

1. Homes and Community Renewal (HCR) Agreement

a. Executed Grant Agreement submitted

b. MBE/WBE adjusted to 30% total MWBE

New Business: C. Curtis

A. [L. Tinney Consulting Services Agreement](#)

B. [M. Tinney Social Media Proposal](#)

C. [R. Kelsey Resolution](#)



Old Business: C. Curtis

- A. Public Authority Accountability Act (PAAA)
 - 1. Audit Committee Report: R. Kelsey, A. Gowan
 - a. NYS Comptroller Audit second exit interview completed; TCIDA Response due 12-6-19; Final Report anticipated
 - b. Insero&co – annual audit planning meeting 12-9-19
 - 2. Governance Committee: J. Ceccherelli, A. Gowan, R. Kelsey
 - a. International Economic Development Council - Basic Economic Development Course – Phoenix, AZ - January 27-31, 2020
 - b. [Procurement Policy](#) recommendation
 - 3. Finance Committee: R. Kelsey, A. Gowan, K. Gillette
 - a. Nothing to report
 - 4. Loan Committee: S. Thomas, A. Gowan, R. Kelsey, K. Dougherty, D. Barton
 - a. Recommending approval of “2019 NYS DRI VOO TCIDA Multi-Site Program Policies & Guidelines” – DRI HCR Sub-recipient agreement
- B. Railroad Culvert – Railroad Ave., Richford, NY
 - 1. FY2019 Grant Application not submitted; Grant Applications accepted annually

PILOT Updates: C. Curtis

- A. Sales Tax Exemptions Update: C. Curtis
 - 1. V&S Sales Tax Exemption Report
- B. School, Village, Town & County PILOTs disbursed

Motion to move into Executive Session pursuant to Public Officers Law Section 105

Next Meeting: Wednesday January 8, 2019

Adjournment

Tioga County Industrial Development Agency

November 6, 2019 • 4:30 p.m. • Ronald E. Dougherty County Office Building

56 Main Street, Owego, NY 13827

DRAFT

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, M. Sauerbrey, E. Knolles, T. Monell (*arrived @ 4:33 p.m.*), J. Ceccherelli, K. Gillette
 - b. Absent: None
 - c. Excused: A. Gowan
 - d. Guests: C. Curtis, L. Tinney, C. Haskell, M. Freeze, M. Griffiths (*departed @ 4:37 p.m.*)

- III. **Privilege of the Floor – Megan Griffiths, ED&P Agricultural Development Specialist**
C. Curtis introduced Megan Griffiths, ED&P Agricultural Development Specialist. Ms. Griffiths provided an update of what she has been working on since her hire approximately two months ago. Ms. Griffiths reported she has been researching a central marketplace or grocery store venue for Tioga County farmers to market their agricultural goods. Ms. Griffiths reported one of the issues is foot traffic and that Owego already has a farmer's market established, however, discussed the potential for possibly improving and enhancing upon what is currently here. As an alternative solution, Ms. Griffiths reported she is researching a food hub that would serve as a "middle man" for marketing goods. Ms. Griffiths reported there was a food hub in Syracuse, NY that recently closed and noted there is a higher price associated with buying from a food hub.

E. Knolles inquired about the size of farms Ms. Griffiths is working with. Ms. Griffiths reported she is working with everyone as a whole. Ms. Griffiths reported she recently visited the Amish farms who currently market their goods via roadside stands and selling to local grocery stores.

E. Knolles inquired as to whether there are any Tioga County farmers shipping goods to larger retailers. Seasonally, R. Kelsey reported there are few but the challenge is consistent supply.

IV. Approval of Minutes

a. October 2, 2019 Regular Meeting Minutes

**Motion to approve October 2, 2019 Regular Board meeting minutes, as written.
(M. Sauerbrey, T. Monell)**

Aye – 6

Abstain – 0

No – 0

Carried

V. Financials – C. Curtis reported she reviewed the financials with A. Gowan.

a. Balance Sheet – C. Curtis reported A. Gowan inquired about the IRP loan of -\$14.16 reflected on the balance sheet, as this was for a loan that was paid in full in January 2019. C. Curtis will work with J. Nolis to correct prior to the annual audit.

b. Profit & Loss

c. Transaction Detail; Cash Accounts Only

Motion to acknowledge financials, as presented. (M. Sauerbrey, J. Ceccherelli)

Aye – 6

Abstain – 0

No – 0

Carried

VI. ED&P Update: L. Tinney

- Southern Tier Fourth Wave – L. Tinney reported the group is re-visiting the battery technology project and separating the R&D component from the creation and expansion of business component. L. Tinney reported the 11/13/19 event will be cancelled and rescheduled for a later date.
- Southern Tier 8 Energy Summit – L. Tinney reported this was a well-attended event.
- Phase II Workforce Development Pipeline Strategy Study – L. Tinney reported ED&P was leading this study, however, in an effort to avoid duplication by the work already being done in the Owego-Apalachin and Waverly Central School Districts, the schools will be taking the lead on this study. The initial scope of the study will be re-done.
- Speaking Engagements – L. Tinney reported she has been busy with several speaking engagements such as the Chamber of Commerce Economic Forum event, WATS/WAVR radio talk show discussing workforce development and Owego Rotary Club discussing the DRI.
- Land Bank – L. Tinney reported the vacant lots have been posted and advertised for sale and two properties slated for possible rehabilitation.
- Community Development – L. Tinney reported Community Development Specialist Abbey Hendrickson has been working on the Waverly Glen Park. These efforts are through the Village of Waverly grant awarded for \$495,000. L. Tinney further reported Ms. Hendrickson has been successful in the development of a Foundation Coalition website and universal application process where one application is submitted and used for all foundations.
- Grants - L. Tinney reported ED&P is currently assisting and/or administering twelve (12) grants through the Village of Waverly, Town of Richford, Town of Berkshire, Village of Owego, REAP, and the DRI.
- Planning – L. Tinney reported County Planning Director E. Jardine has been working with the Village of Spencer on land use.

- Town of Richford Water Issues – L. Tinney reported ED&P connected with Public Health to discuss the water issues in the Town of Richford. Based on this cooperative effort, baseline water testing is being done with the possibility of seeking a grant source for resolution.
- V&S – L. Tinney reported groundbreaking was held on 11/5/19 and was well attended. L. Tinney acknowledged IDA Board members R. Kelsey, A. Gowan, and M. Sauerbrey were in attendance. Ms. Tinney reported V&S will soon start the labor hiring process and anticipates 35-50 jobs to start. R. Kelsey reported L. Tinney received good recognition from Senator Akshar on this project.

VII. Project Updates: C. Curtis

- a. V&S – C. Curtis reported construction in progress. C. Curtis reported Procon is on-site for the water & sewer extension with completion expected in the next couple of weeks. L. Tinney submitted the MWBE waiver request, which is pending a response. C. Curtis reported the capital assistance of \$300,000 is expected to be used in its entirety to include engineering costs.
- b. DRI – C. Curtis reported attorney Joe Meagher has reviewed and approved the Homes and Community Renewal (HCR) Agreement for M. Sauerbrey's signature this week. C. Curtis reported she, along with B. Woodburn and L. Tinney obtained the supporting documents. In regards to the MBE/WBE, C. Curtis reported the MBE is 20% and the WBE is 10%. C. Curtis reported L. Tinney requested, at minimum, a revision to switch the two percentages. This is currently under review. L. Tinney reported the initial answer received from HCR was these are set amounts per County, however, the Department of State's response was different. L. Tinney is providing HCR with the Department of State's information and waiting for a response.
- c. Owego Gardens II – L. Tinney reported Home Leasing made an application with Homes and Community Renewal for HFA funding, however, the earliest date for approval is September 2020, therefore, posing a timing challenge for road and tank construction. L. Tinney reported she is requesting HCR provide a level of confidence by March 2020 regarding fall approval in order to proceed with road construction (7-8 weeks) and tank construction (6 months) in time for Home Leasing to close in October 2020 and then start construction the following month. L. Tinney reported we can still go forward with the bid process in the interim. L. Tinney reported a side agreement with Home Leasing and the IDA for reimbursement of upfront funds of \$620,000 from the IDA would need to occur.

VIII. New Business: C. Curtis

- a. Railroad Culvert – Railroad Ave., Richford, NY – C. Curtis reported a letter of intent has been submitted with a 25% grant match from the IDA for the FY 2019 HMA Grant. C. Curtis reported OHRY and the Town of Richford Supervisor are in favor of pursuing this grant and offered machinery and labor for in-kind contributions. C. Curtis reported M. Jura, Tioga County Soil & Water, and S. May, OHRY, are seeking additional funding

sources, therefore, possibly no IDA funding involved. C. Curtis reported potential loss of revenue to OHRY during the August 2018 flash flood event was \$36,238 thus resulting in an IDA loss of \$1,008.12 based on 5% trackage rights.

C. Curtis reported during flash flood events the railroad bridge and approximately 6—8 homes are affected, as well as producing sediment on the railroad tracks.

C. Curtis reported the application is due by 12/4/19 and requested IDA approval to proceed with the application process.

Motion to support an IDA application for FY 2019 HMA Grant (K. Gillette, E. Knolles).

Aye – 6

Abstain – 0

No – 0

Carried

b. Railroad Culvert – Harford, NY – C. Curtis reported she received information from a homeowner in Harford, NY regarding flooding of a railroad culvert causing furnace damage in his residence and seeking repair at IDA expense. C. Curtis reported J. Meagher reviewed and determined the IDA is not liable for the damages, therefore, will not be compensating the homeowner. C. Curtis reported J. Meagher will send the homeowner a letter noting the IDA is not liable for damages and/or compensation. L. Tinney reported Tioga County Soil & Water is working with Tompkins Soil & Water regarding possible removal of the railroad culvert. L. Tinney reported S. May, OHRY, approved this approach.

c. Solar Map – C. Curtis displayed a map of all existing solar farms in Tioga County. C. Curtis reported she worked with M. Griffiths and E. Jardine to gather information for creation of the map. K. Gillette inquired about percentage of electric use and number of homes impacted.

ACTION: L. Tinney will gather additional information including percentage of electric use and number of homes impacted.

IX. Old Business: C. Curtis

A. Public Authority Accountability Act (PAAA)

1. Audit Committee Report: R. Kelsey, A. Gowan, E. Knolles

a. NYS Comptroller – Second Exit Interview – C. Curtis reported once the NYS Comptroller’s Office issues their final report a second exit interview will be scheduled with R. Kelsey and herself.

2. Governance Committee: J. Ceccherelli, A. Gowan, R. Kelsey

a. Policy Review – C. Curtis reported all policies are under review for the annual meeting.

b. Recommend Board Member – C. Curtis reported interviews were conducted and the Governance Committee is recommending Jonathan Ward to fill the board member seat that will be vacated by R. Kelsey at the end of the year. R. Kelsey reported he submitted his letter of resignation effective 12/31/19 noting tonight is his last meeting. C. Curtis read the resignation letter to the Board. L. Tinney reviewed the process of filling this upcoming IDA Board vacancy noting the IDA makes the recommendation to the Legislature who appoints via resolution at the

December 10, 2019 Legislature meeting. The appointment will be effective 1/1/2020.

Motion to accept the Governance Committee’s recommendation to fill the upcoming vacancy of R. Kelsey with Jonathan Ward effective 1/1/2020. (E. Knolles, J. Ceccherelli).

Aye – 6

Abstain – 0

No – 0

Carried

ACTION: L. Tinney will prepare a resolution and obtain the candidate’s resume for Legislature consideration at the December 10, 2019 Legislature meeting.

M. Sauerbrey recommended in 2020 an IDA history of board members, projects, relationship with Tioga County Legislature, etc. be presented at an IDA meeting for the newer board members.

ACTION: M. Sauerbrey and L. Tinney will work on an IDA presentation for an upcoming meeting in 2020.

3. Finance Committee: R. Kelsey, A. Gowan, and K. Gillette
 - a. Policy Review is in progress.
4. Loan Committee: (S. Thomas, R. Kelsey, A. Gowan, D. Barton, K. Dougherty)
 - a. Bill’s Carpet Cleaning – loan paid in full.

X. PILOT Updates: C. Curtis

- A. Sales Tax Exemptions Update: C. Curtis
 1. V&S Sales Tax Exemption Report – C. Curtis reported V&S submits monthly reports and, to date, \$330,166.26 sales tax exemption has been claimed out of the allowable \$671,200.
- B. School PILOTs - C. Curtis reported all PILOT payments have been received and disbursement will occur this month.
- C. CNYOG/Stagecoach PILOT Extension – C. Curtis reported resolutions have been adopted and received from Tioga County Legislature, Town of Owego, and Owego-Apalachin School District granting a PILOT extension to March 2020. C. Curtis reported J. Meagher advised the IDA grant their PILOT extension to September 2020.

Motion to adopt a resolution granting a PILOT extension to CNYOG/Stagecoach to September 2020. (E. Knolles, K. Gillette)

Aye – 6

Abstain – 0

No – 0

Carried

XI. Motion to move into Executive Session pursuant to Public Officers Law Section 105 at 5:23 p.m.to discuss financial matters. (T. Monell, J. Ceccherelli)

Aye – 6

Abstain – 0

No – 0

Carried

Executive Session adjourned at 5:25 p.m.

XII. Next Meeting: Wednesday, December 4, 2019 at 4:30 p.m. Legislative Conference Room. R. Kelsey noted he will not be in attendance.

XIII. Adjournment – Meeting adjourned at 5:28 p.m.

Respectfully submitted,

Cathy Haskell

IDA Executive Assistant

Tioga County Industrial Development Agency

Balance Sheet

As of November 30, 2019

	Nov 30, 19	Nov 30, 18	\$ Change
ASSETS			
Current Assets			
Checking/Savings			
Restricted Cash Accounts			
Community- Facade Improvement	101,765.07	58,500.65	43,264.42
CCTC- Industrial Park	11,995.37	11,995.37	0.00
USDA Funds			
CCTC- Loan Loss Reserve	40,441.64	40,423.07	18.57
TSB- IRP 2016 (Formerly IRP 4)	149,741.27	211,952.98	-62,211.71
TSB- RBEG	129,593.09	205,553.63	-75,960.54
TSB- marketing	1,477.81	1,477.40	0.41
Total USDA Funds	<u>321,253.81</u>	<u>459,407.08</u>	<u>-138,153.27</u>
Total Restricted Cash Accounts	435,014.25	529,903.10	-94,888.85
CCTC- CDs			
Land Acquisition (879)	534,542.01	528,439.10	6,102.91
Capital Improvement (284)	315,216.99	310,716.91	4,500.08
Total CCTC- CDs	<u>849,759.00</u>	<u>839,156.01</u>	<u>10,602.99</u>
Temporarily Restricted Cash Acc			
TSB-Owego Gardens	84.35	84.35	0.00
TSB-Crown Cork and Seal	105.67	105.67	0.00
Community- BestBuy PILOT Acct.	263.26	163.24	100.02
Total Temporarily Restricted Cash Acc	<u>453.28</u>	<u>353.26</u>	<u>100.02</u>
Unrestricted Cash Accounts			
TSB ICS	2,152,130.36	2,129,238.68	22,891.68
TSB- checking	151,459.41	39,728.18	111,731.23
TSB- general fund	125,602.59	125,510.40	92.19
Total Unrestricted Cash Accounts	<u>2,429,192.36</u>	<u>2,294,477.26</u>	<u>134,715.10</u>
Total Checking/Savings	<u>3,714,418.89</u>	<u>3,663,889.63</u>	<u>50,529.26</u>
Other Current Assets			
Accounts Receivable 1300.01	730,888.89	329,158.69	401,730.20
Allowance for Doubtful Accounts	-35,000.00	-35,000.00	0.00
Commercial Facade Loan Program			
Loan Rec - 2017-01-C	35,625.00	42,500.00	-6,875.00
Loan Rec - 2018-03-C	16,875.00	20,312.50	-3,437.50
Loan Rec - 2018-02-C	1,066.50	2,889.75	-1,823.25
Loan Rec - 2018-01-C	6,420.02	8,220.02	-1,800.00
Loan Rec - 2017-03-C	7,570.00	10,070.00	-2,500.00
Loan Rec - 2017-02-C	24,873.80	31,362.56	-6,488.76
Loan Rec - 2016-03-C	9,297.96	12,579.72	-3,281.76
Loan Rec - 2016-02-C	21,527.96	29,166.80	-7,638.84
Loan Rec - 2016-01-C	4,433.08	6,114.54	-1,681.46
Loan Rec - 2015-06-C	9,512.30	13,536.76	-4,024.46
Loan Rec - 2014-01-C	1,525.66	3,560.14	-2,034.48
Loan Rec - 2015-02-C	0.00	-0.08	0.08
Loan Rec - 2015-05-C	7,188.60	11,079.63	-3,891.03
Total Commercial Facade Loan Program	<u>145,915.88</u>	<u>191,392.34</u>	<u>-45,476.46</u>
RBEG			
Loan Rec - RBEG 2019 -06	77,265.38	0.00	77,265.38
Total RBEG	<u>77,265.38</u>	<u>0.00</u>	<u>77,265.38</u>
IRP 4			
Loan Rec - 2019 - 06A	96,581.70	0.00	96,581.70
Loan Rec 2018-02-A	8,157.89	9,629.96	-1,472.07
Loan Rec 2018-01-A	65,876.88	69,081.75	-3,204.87
Loan Rec 2017-05-A	12,308.46	16,590.71	-4,282.25
Loan Rec 2017-04-A	35,122.59	36,997.34	-1,874.75
Loan Rec 2017-03-A	15,463.91	17,162.16	-1,698.25
Loan Rec 2017-02-A	60,175.21	76,415.27	-16,240.06
Loan Rec 2017-01-A	19,000.76	21,373.50	-2,372.74
Loan Rec 2016-01-A	13,820.02	21,964.94	-8,144.92
Loan Rec 2015-03-A	-11.55	5,641.57	-5,653.12
Loan Rec 2013-02-A	-14.16	454.69	-468.85
Loan Rec 2009-02-A	51,251.58	51,851.58	-600.00
Total IRP 4	<u>377,733.29</u>	<u>327,163.47</u>	<u>50,569.82</u>
IRP 3			
Loan Rec 2007-08-A	20,813.82	28,592.55	-7,778.73
Total IRP 3	<u>20,813.82</u>	<u>28,592.55</u>	<u>-7,778.73</u>
IRP 2			
Loan Rec 2011-03-A	25,801.17	37,264.83	-11,463.66
Total IRP 2	<u>25,801.17</u>	<u>37,264.83</u>	<u>-11,463.66</u>
Total Other Current Assets	<u>1,343,418.43</u>	<u>878,571.88</u>	<u>464,846.55</u>
Total Current Assets	<u>5,057,837.32</u>	<u>4,542,461.51</u>	<u>515,375.81</u>

Tioga County Industrial Development Agency

Balance Sheet

As of November 30, 2019

	Nov 30, 19	Nov 30, 18	\$ Change
Fixed Assets			
Land- Mitchell	58,453.51	58,453.51	0.00
Equipment			
2012 computer upgrade	1,436.88	1,436.88	0.00
Equipment - Other	264.00	264.00	0.00
Total Equipment	1,700.88	1,700.88	0.00
Land- Cavataio	2,500.00	2,500.00	0.00
Land-general	601,257.05	584,257.05	17,000.00
Land-Louns			
Lopke	8,993.03	8,993.03	0.00
Town of Nichols	20,000.00	20,000.00	0.00
Hess	259,561.43	259,561.43	0.00
Land-Louns - Other	139,612.53	139,612.53	0.00
Total Land-Louns	428,166.99	428,166.99	0.00
Land 434	376,800.36	376,800.36	0.00
Railroad Improvements	1,979,330.50	1,979,330.50	0.00
Z Accumulated Depreciation	-1,175,790.43	-1,154,503.43	-21,287.00
Total Fixed Assets	2,272,418.86	2,276,705.86	-4,287.00
TOTAL ASSETS	7,330,256.18	6,819,167.37	511,088.81
LIABILITIES & EQUITY			
Liabilities			
Current Liabilities			
Other Current Liabilities			
Accrued Expenses	462,389.00	0.00	462,389.00
2100 - Payroll Liabilities	0.00	1,646.82	-1,646.82
PILOT Payments			
Gateway Owego, LLC	-0.70	0.00	-0.70
Midwestern Pet Foods, Inc.			
School	13,588.04	0.00	13,588.04
Midwestern Pet Foods, Inc. - Other	-13,588.67	0.00	-13,588.67
Total Midwestern Pet Foods, Inc.	-0.63	0.00	-0.63
Crown Cork and Seal	-28.54	-28.54	0.00
+ - 231 Main Town/County	-0.01	-0.01	0.00
Nichols Cross Dock			
School	-4.66	0.00	-4.66
Total Nichols Cross Dock	-4.66	0.00	-4.66
Owego Gardens	50.00	50.00	0.00
School - 231 Main Street	-0.89	0.01	-0.90
Tioga Downs Racetrack			
Village - Tioga Downs	-215.01	0.00	-215.01
School - Tioga Downs	206.72	0.00	206.72
Total Tioga Downs Racetrack	-8.29	0.00	-8.29
CNYOG			
School- CNYOG	-3,134,471.44	0.00	-3,134,471.44
CNYOG - Other	3,409,128.66	-0.01	3,409,128.67
Total CNYOG	274,657.22	-0.01	274,657.23
Rynone	44.08	44.08	0.00
Total PILOT Payments	274,707.58	65.53	274,642.05
Total Other Current Liabilities	737,096.58	1,712.35	735,384.23
Total Current Liabilities	737,096.58	1,712.35	735,384.23
Long Term Liabilities			
Loan Pay- IRP 4	232,632.80	232,632.80	0.00
Loan Pay- IRP 3	192,027.10	202,342.67	-10,315.57
Loan Pay- IRP 2	123,432.31	134,427.04	-10,994.73
Loan Pay- IRP 1	51,531.31	69,112.00	-17,580.69
Total Long Term Liabilities	599,623.52	638,514.51	-38,890.99
Total Liabilities	1,336,720.10	640,226.86	696,493.24
Equity			
Board Designated Funds	1,406,302.63	1,406,302.63	0.00
1110 - Retained Earnings	4,770,357.55	5,771,758.35	-1,001,400.80
Net Income	-183,124.10	-999,120.47	815,996.37
Total Equity	5,993,536.08	6,178,940.51	-185,404.43
TOTAL LIABILITIES & EQUITY	7,330,256.18	6,819,167.37	511,088.81

Tioga County Industrial Development Agency

Profit & Loss Prev Yr. Comparison

11/27/19

Accrual Basis

January through November 2019

	Jan - Nov 19	Jan - Nov 18	\$ Change
Ordinary Income/Expense			
Income			
Refund of Insurance	788.00	0.00	788.00
Loan Interest Income			
IRP 4 - 2019 - 06A	1,643.95	0.00	1,643.95
RBEG 2019 -06	1,315.18	0.00	1,315.18
IRP 2			
2011-03-A	1,447.63	1,960.13	-512.50
Total IRP 2	1,447.63	1,960.13	-512.50
IRP 3			
2013-01-A	0.00	102.41	-102.41
2007-08-A	1,546.88	1,833.04	-286.16
Total IRP 3	1,546.88	1,935.45	-388.57
IRP 4			
2018-02-A	326.31	32.50	293.81
2018-01-A	1,870.66	2,795.70	-925.04
2017-04-A	1,352.51	1,566.87	-214.36
2017-03-A	341.21	453.64	-112.43
2017-05-A	722.93	442.63	280.30
2017-01-A	462.73	524.49	-61.76
2017-02-A	1,417.93	1,933.50	-515.57
2016-01-A	821.76	1,185.89	-364.13
2015-03-A	174.34	324.87	-150.53
2013-02-A	0.00	84.67	-84.67
2010-02-A	148.01	0.00	148.01
Total IRP 4	7,638.39	9,344.76	-1,706.37
Loan Interest Income - Other	835.38	0.00	835.38
Total Loan Interest Income	14,427.41	13,240.34	1,187.07
Loan Program Fee			
Facade	0.00	100.00	-100.00
IRP 4	1,950.00	2,347.50	-397.50
RBEG	150.00	0.00	150.00
Loan Program Fee - Other	0.00	200.00	-200.00
Total Loan Program Fee	2,100.00	2,647.50	-547.50
Loan Late Fee			
2017-01-A	10.00	0.00	10.00
2018-01-C	5.00	8.77	-3.77
2015-03 - 2015-03-A	60.00	40.10	19.90
Loan Late Fee - Other	0.00	15.99	-15.99
Total Loan Late Fee	75.00	64.86	10.14
4110 - Grants			
Waverly Trade Center DOT Grant	10,880.00	197,363.06	-186,483.06
4110 - Grants - Other	465,000.00	1,696,136.00	-1,231,136.00
Total 4110 - Grants	475,880.00	1,893,499.06	-1,417,619.06
Interest Income-			
Interest Income- TSB ICS	18,178.40	9,238.68	8,939.72
Community- Facade Improvement	33.87	36.76	-2.89
CCTC Loan Loss Reserve Account	16.85	18.62	-1.77
Community- Lounsberry	100.02	95.58	4.44
TSB- checking	468.06	513.57	-45.51
TSB-general fund	83.66	177.04	-93.38
TSB- IRP 4	44.26	65.37	-21.11
TSB- RBEG	41.65	57.20	-15.55
TSB- marketing	0.37	0.40	-0.03

Tioga County Industrial Development Agency

Profit & Loss Prev Yr. Comparison

11/27/19

Accrual Basis

January through November 2019

	Jan - Nov 19	Jan - Nov 18	\$ Change
Total Interest Income-	18,967.14	10,203.22	8,763.92
Leases/Licenses	11,507.00	11,998.08	-491.08
OHRy freight	97,004.20	120,886.90	-23,882.70
Total OHRy	97,004.20	120,886.90	-23,882.70
4170 - PILOT Program Fees			
V&S NY Galvanizing LLC	84,131.50	0.00	84,131.50
Gateway	16,416.39	0.00	16,416.39
SUN8 PDC LLC	0.00	288,073.00	-288,073.00
Owego Garden - Home Leasing	2,500.00	0.00	2,500.00
Best Buy	2,500.00	0.00	2,500.00
4170 - PILOT Program Fees - Other	0.00	2,500.00	-2,500.00
Total 4170 - PILOT Program Fees	105,547.89	290,573.00	-185,025.11
Total Income	726,296.64	2,343,112.96	-1,616,816.32
Expense			
IDA Paint Program			
2019 - 2019	2,253.54	0.00	2,253.54
2018	0.00	3,523.47	-3,523.47
Total IDA Paint Program	2,253.54	3,523.47	-1,269.93
66900 - Reconciliation Discrepancies	0.00	-0.02	0.02
Grant Expense	649,504.25	17,595.10	631,909.15
WWTP Crown Cork and Seal	0.00	-18,633.74	18,633.74
Marketing	0.00	741.71	-741.71
Waverly Trade Center DOT Grant	10,880.00	197,363.06	-186,483.06
Tioga Industrial Park Corporate Drive	0.00	5.00	-5.00
Total Tioga Industrial Park	0.00	5.00	-5.00
Education			
Haskell	139.00	0.00	139.00
Curtis	224.00	0.00	224.00
Education - Other	50.00	3,501.80	-3,451.80
Total Education	413.00	3,501.80	-3,088.80
Loan Admin Fee			
IRP 4	0.00	0.00	0.00
Total Loan Admin Fee	0.00	0.00	0.00
Loan Program Expense			
IRP 4	45.00	0.00	45.00
Loan Program Expense - Other	60.00	150.00	-90.00
Total Loan Program Expense	105.00	150.00	-45.00
6120 - Bank Service Charges			
Check order			
TSB IRP 4	57.30	0.00	57.30
TSB RBEG	57.30	0.00	57.30
Total Check order	114.60	0.00	114.60
6120 - Bank Service Charges - Other	60.00	175.20	-115.20
Total 6120 - Bank Service Charges	174.60	175.20	-0.60
Copies	489.40	392.36	97.04
6160 - Dues and Subscriptions	1,785.00	1,655.00	130.00
E=mt3 site preparation	0.00	200.00	-200.00

Tioga County Industrial Development Agency

Profit & Loss Prev Yr. Comparison

11/27/19

Accrual Basis

January through November 2019

	Jan - Nov 19	Jan - Nov 18	\$ Change
E=mt3 - Other	0.00	655.00	-655.00
Total E=mt3	0.00	655.00	-655.00
Employee benefit			
IRA Company Match	1,275.04	1,508.36	-233.32
IRA	0.00	1,766.79	-1,766.79
Total Employee benefit	1,275.04	3,275.15	-2,000.11
6180 · Insurance			
WC (Utica)	663.00	0.00	663.00
Travel/Accident (Hartford)	750.00	750.00	0.00
D & O (Philadelphia Ins. Co)	3,292.00	3,287.00	5.00
6190 · Disability (First Rehab Life)	157.04	0.00	157.04
Employee Health (SSA)	4,377.10	2,992.64	1,384.46
6185 · Property & Liability (Dryden)	9,860.13	11,788.19	-1,928.06
RR Liability (Steadfast)	19,923.84	20,883.84	-960.00
WC (Amtrust)	788.00	533.00	255.00
Total 6180 · Insurance	39,811.11	40,234.67	-423.56
6200 · Interest Expense			
6210 · Finance Charge	0.00	0.39	-0.39
6220 · Loan Interest			
IRP 3	0.00	0.21	-0.21
Total 6220 · Loan Interest	0.00	0.21	-0.21
6200 · Interest Expense - Other	6,385.15	6,770.20	-385.05
Total 6200 · Interest Expense	6,385.15	6,770.80	-385.65
6240 · Miscellaneous	602.66	0.00	602.66
6550 · Office Supplies			
other	173.32	360.32	-187.00
6550 · Office Supplies - Other	1,476.56	837.92	638.64
Total 6550 · Office Supplies	1,649.88	1,198.24	451.64
6560 · Payroll Expenses			
Payroll Expenses - HSA	1,350.00	0.00	1,350.00
M. Tinney	0.00	1,480.28	-1,480.28
6560 · Payroll Expenses - Other	39,006.11	50,818.87	-11,812.76
Total 6560 · Payroll Expenses	40,356.11	52,299.15	-11,943.04
PILOT Program Expenses			
Distributed Sun	0.00	305.00	-305.00
PILOT Program Expenses - Other	0.00	231.50	-231.50
Total PILOT Program Expenses	0.00	536.50	-536.50
6250 · Postage and Delivery	128.84	121.70	7.14
6270 · Professional Fees			
Ag Ec Dev Specialist Position	4,131.00	0.00	4,131.00
Administrative Services			
Tinney, M	3,200.00	0.00	3,200.00
Haskell	7,750.00	8,378.00	-628.00
Tinney	21,250.00	17,125.00	4,125.00
Total Administrative Services	32,200.00	25,503.00	6,697.00
6650 · Accounting			
Piaker & Lyons	0.00	9,500.00	-9,500.00
Jan Nolis	3,471.25	2,363.75	1,107.50
6650 · Accounting - Other	12,500.00	0.00	12,500.00
Total 6650 · Accounting	15,971.25	11,863.75	4,107.50

Tioga County Industrial Development Agency

Profit & Loss Prev Yr. Comparison

11/27/19

Accrual Basis

January through November 2019

	Jan - Nov 19	Jan - Nov 18	\$ Change
6655 · Consulting	2,500.00	19,500.00	-17,000.00
6280 · Legal Fees			
Loan Program Fees	0.00	1,369.25	-1,369.25
Special Project Fees	18,000.00	0.00	18,000.00
6280 · Legal Fees - Other	37,002.90	36,557.50	445.40
Total 6280 · Legal Fees	55,002.90	37,926.75	17,076.15
6270 · Professional Fees - Other	8,744.94	29,534.50	-20,789.56
Total 6270 · Professional Fees	118,550.09	124,328.00	-5,777.91
6670 · Program Expense			
Water Tower	30,547.25	0.00	30,547.25
Total 6670 · Program Expense	30,547.25	0.00	30,547.25
Property Taxes			
96 · Smith Creek Rd	181.63	2,197.55	-2,015.92
540 · Stanton Hill	21.03	81.74	-60.71
Spring St	0.25	0.22	0.03
Berry Road (47)	106.32	97.94	8.38
Carmichael Road	3.95	3.74	0.21
Smith Creek Road	17.66	16.27	1.39
Glenmary Drive	11.03	10.06	0.97
Metro Road	9.19	8.39	0.80
Total Property Taxes	351.06	2,415.91	-2,064.85
Real Estate Taxes	2,357.00	0.00	2,357.00
Recording fees	0.00	1,215.00	-1,215.00
6300 · Repairs			
6310 · Building Repairs	0.00	748.30	-748.30
Total 6300 · Repairs	0.00	748.30	-748.30
6770 · Supplies			
6790 · Office	0.00	518.49	-518.49
6770 · Supplies - Other	823.90	0.00	823.90
Total 6770 · Supplies	823.90	518.49	305.41
6340 · Telephone	240.06	320.08	-80.02
6350 · Travel & Ent			
6370 · Meals	0.00	325.93	-325.93
6380 · Travel	556.96	978.28	-421.32
6350 · Travel & Ent - Other	180.84	0.00	180.84
Total 6350 · Travel & Ent	737.80	1,304.21	-566.41
Total Expense	909,420.74	442,610.14	466,810.60
Net Ordinary Income	-183,124.10	1,900,502.82	-2,083,626.92
Other Income/Expense			
Other Expense			
Transferred Assets	0.00	2,899,623.29	-2,899,623.29
Total Other Expense	0.00	2,899,623.29	-2,899,623.29
Net Other Income	0.00	-2,899,623.29	2,899,623.29
Net Income	-183,124.10	-999,120.47	815,996.37

Tioga County Industrial Development Agency

11/27/19

Transaction Detail by Account

Accrual Basis

November 2019

Type	Date	Num	Name	Memo	Amount
Restricted Cash Accounts					
Community- Facade Improvement					
Deposit	11/06/2019			Loan Payments	844.11
Deposit	11/08/2019			Loan Payments	710.27
Deposit	11/19/2019			Loan Payment	423.48
Deposit	11/22/2019			Loan Payment	299.31
Total Community- Facade Improvement					2,277.17
USDA Funds					
TSB- IRP 2016 (Formerly IRP 4)					
Deposit	11/01/2019			Loan Payment	559.08
Deposit	11/01/2019			Loan Payment	306.00
Deposit	11/05/2019			Loan Paid In Full	4,542.96
Check	11/05/2019	1077	Charles Cornell	Reimburse overpayment - IRP Loan Payoff ck 147100	-843.35
Deposit	11/06/2019			Loan payments	3,872.94
Deposit	11/08/2019			Loan Payments	1,328.88
Deposit	11/19/2019			Loan payment	152.54
Deposit	11/22/2019			Loan Payment	728.81
Total TSB- IRP 2016 (Formerly IRP 4)					10,647.86
TSB- RBEG					
Deposit	11/06/2019			Loan Payment	809.96
Total TSB- RBEG					809.96
Total USDA Funds					11,457.82
Total Restricted Cash Accounts					13,734.99
Unrestricted Cash Accounts					
TSB- checking					
Check	11/01/2019	X	EFTPS	Oct 2019 Federal Tax Deposit	-1,098.82
Check	11/04/2019	6350	Cathy Haskell	Administrative Assistance Oct 2019 Invoice # 131	-775.00
Check	11/04/2019	6351	Jan Nolis, CPA	3rd QTR Bi-weekly payroll & tax returns	-180.00
Check	11/04/2019	6352	Three Rivers Dev...	Southern Tier Fourth Wave - Phase 1 - TCIDA Contribution	-2,500.00
Check	11/05/2019	6353	LeeAnn Tinney	Prof Services: Nov 2019	-2,125.00
Check	11/05/2019	6354	Madison Tinney.	Invoice # 2019-22 Oct	-300.00
Check	11/12/2019	6355	Procon Contracting	V&S Tioga Industrial Park Sewer & Water Extension - Pmt Ap...	-164,976.62
Check	11/12/2019	6356	Fagan Engineers...	Invoice#31165 V&S Industrial Park water/sewer bid admin, a...	-6,533.11
Check	11/12/2019	6357	Fagan Engineers...	Invoice#31104 V&S Industrial Park bid documents and bid ad...	-2,100.00
Check	11/12/2019	6358	Fagan Engineers...	Invoice#31043 V&S Industrial Park Prof Svcs Final Constructi...	-10,894.52
Check	11/12/2019	6359	Thomas, Collison...	Services Sep 1, 2019 -Sep 30, 2019 + misc. litigation hours	-2,677.50
Check	11/13/2019	6360	Christine E Curtis	Pay Period: 10/27/2019 - 11/09/2019	-1,240.78
Deposit	11/19/2019			OHRYSep	11,277.80
Check	11/21/2019	6361	Christine Curtis	Mileage Reimbursement 9-5-19 to 11-21-19	-368.71
Check	11/21/2019	6362	Excellus Health P...	2019 Health Insurance - Dec - C.Curtis - Inv# 23226933	-437.71
Check	11/21/2019	6363	Dryden Mutual In...	Special Multi-Peril Policy SMP00013250-05 Term: 2/21/19 - 2...	-57.05
Check	11/21/2019	6364	Tioga County	Verizon Wireless - IT Invoice # 2859	-40.01
Check	11/21/2019	6365	Tioga County	VOID: 2019 IT Invoice 2854 Shared Services	0.00
Check	11/21/2019	6366	Greater Valley C...	2020 Membership Dues	-75.00
Check	11/25/2019	6367	Christine Curtis	November 2019 HSA C. Curtis	-150.00
Check	11/25/2019	6370	Tioga County	2019 IT Invoice 2854 Shared Services	-696.20
Check	11/25/2019	6371	Waverly Central ...	2019-20 School PILOT Midwestern	-13,588.67
Check	11/25/2019	6372	Tioga Central Sc...	2019-20 School PILOT	-148,177.70
Check	11/25/2019	6373	Owego Apalachin...	2019-20 School PILOT (Fed Ex-Gateway-CNYOG-231 Main)	-3,197,791.03
Check	11/25/2019	6374	village of Nichols	2019 PILOT (Tioga Downs)	-215.01
Check	11/25/2019	6375	Tioga County Tre...	2019 PILOT (Gateway)	-298.86
Check	11/25/2019	6376	Town of Owego	2019 PILOT (Gateway)	-26.02
Check	11/25/2019	6377	Village of Owego	2019 PILOT (Gateway)	-478.29
Transfer	11/26/2019			Funds Transfer to keep checking at approximately \$150,000	200,000.00
Check	11/27/2019	6368	Christine E Curtis	Pay Period: 11/10/2019 - 11/23/2019	-1,240.78
Check	11/27/2019	6369	Franklin Templeton	Christine E Curtis; Simple IRA November 2019 TCIDA	-196.16
Total TSB- checking					-3,347,960.75
Total Unrestricted Cash Accounts					-3,347,960.75
TOTAL					-3,334,225.76

2014-2019 **IN REVIEW**

Tioga County Rural Economic Area Partnership LDC



\$704,000.00

In just five short years, REAP has been successfully awarded over \$704,000 in grant funding. As one of four REAP Zones in the United States, priority consideration is given for applications submitted by Tioga County for funding through USDA Rural Development.



Areas Addressed

- Housing
- Workforce Development
- Small Business Support
- County Infrastructure
- Municipal Capacity



Grant Administration

REAP continues to administer grants for small businesses that have positively impacted the Newark Valley, Nichols, Owego, and Waverly communities.



County-wide Initiatives

REAP has initiated several studies to benefit Tioga County (TC) as a whole, including the TC Housing Strategy Action Plan, the TC Open Access Fiber Optic Network Feasibility Study and Business Plan, the TC Code Enforcement Feasibility Study, and the TC Workforce Development Pipeline Strategy.



Community Partners

In order to accomplish its mission, REAP has worked to build strong partnerships with area municipalities as well as agencies such as Tioga County Economic Development & Planning, Tioga Opportunities, the Tioga County Industrial Development Agency, and Southern Tier 8.



16 FULL TIME JOBS CREATED SINCE 2015

10 ADDITIONAL F.T. JOBS ANTICIPATED

REAP is committed to continued, citizen-led community development in Tioga County. In addition to pursuing funding opportunities, the Board is in the process of planning for the future. With feedback from community stakeholders, a strategic plan is in progress that will guide all future REAP initiatives.



CONSULTING SERVICES AGREEMENT

THIS CONSULTING SERVICES AGREEMENT (the “Agreement”) dated as January 1, 2020 is by and between the TIOGA COUNTY INDUSTRIAL DEVELOPMENT AGENCY (the “Agency”) and LEE ANN TINNEY (“Tinney”), collectively, the “Parties”.

W I T N E S S E T H:

WHEREAS, the Agency is a public benefit corporation organized under the laws of the State of New York

WHEREAS, the Agency is charged with the responsibility for directing economic development in and for the County of Tioga; and

WHEREAS, Tinney has considerable experience in the field of economic development; and

WHEREAS, the Agency wishes to retain the services of Tinney on a contractual basis to assist the Agency its efforts to enhance economic development opportunities for the County of Tioga and its residents;

NOW, THEREFORE, IN CONSIDERATION of the mutual promises and covenants hereinafter set forth, the Parties do hereby agree as follows:

1. Tinney agrees to provide professional consulting services to the Agency from the period of January 1, 2020 through December 31, 2020, including, but not limited to the following: See Exhibit “A” attached hereto.

2. The above services, including telephone conferences and e-mail correspondence, shall be rendered by Tinney at such times and places as, in her best professional judgment, shall be convenient and productive to the efforts of the Agency.

3. Tinney shall be compensated for services rendered under this Agreement at the rate of TWO THOUSAND ONE HUNDRED TWENTY-FIVE AND 00/100 DOLLARS (\$2,125.00), per MONTH, payable in monthly installments of TWO THOUSAND ONE HUNDRED TWENTY-FIVE AND 00/100 DOLLARS (\$2,125.00).

4. Tinney shall be deemed to be an independent contractor, not an employee of the Agency, and shall receive an IRS Form 1099 for the purpose of reporting income under this Agreement. Tinney shall be responsible for payment of all New York State and Federal income taxes, FICA, and Medicare taxes based upon payments made to her by the Agency under this Agreement.

5. Either Party may terminate this Agreement upon not less than thirty (30) days' written notice to the other by first class mail. In the event of such termination, Tinney shall be compensated for services rendered pro-rata until, and including, the date of termination. All notices hereunder shall be provided at the following addresses:

To the Agency: Tioga County Industrial Development Agency
56 Main Street
Owego, New York 13827

Attn: Chairperson

To Tinney: Lee Ann Tinney
352 Roki Blvd.
Nichols, NY 13812

6. All information, correspondence, contracts, and documents of the Agency shall be deemed confidential and shall not be disclosed by Tinney to any other person or entity, except in the performance of her duties under the terms of this Agreement.

7. This Agreement may not be assigned by either Party.

IN WITNESS WHEREOF, the undersigned have hereunto set their hands and seals the day first above written.

Lee Ann Tinney

TIOGA COUNTY INDUSTRIAL
DEVELOPMENT AGENCY

By: _____
TCIDA Chairperson

EXHIBIT "A"

Services to be rendered by Lee Ann Tinney pursuant to consulting services agreement with Tioga County Industrial Development Agency dated as of January 1, 2017, including, but not limited to, the following:

Economic Development Government and Business Liaison

- Act as liaison with governmental officials (local, State and Federal)
- Act as liaison with business community representatives
- Attend municipal meetings as needed
- Attend school board meetings as needed
- Represent the Agency on the Southern Tier Regional Economic Development Council
- Represent the Agency on the Southern Tier Regional Economic Development Corporation
- Make monthly reports of Department of Economic Development and Planning activity to the Agency Board of Directors
- Present potential projects to the Agency Board of Directors
- Work in partnership with the Agency Director to facilitate economic development projects
- Provide support for the Agency throughout economic development activities
- Participate with Agency Board Members in the annual review of the Agency Director
- Interface with Agency Counsel as needed

**TEAM TIOGA
2019 SOCIAL MEDIA
PROPOSAL**

SERVICES

Post Creation and Scheduling

- Strategize and design posts for TEAM Tioga's Facebook and Instagram on a monthly basis (frequency of posts dependent on agreement)
- Meet with the TEAM to discuss current events and receive project updates that can be released to the community

Engagement

- Monitor conversation and comments surrounding the social media updates and respond to feedback
- Engage with other users' profiles through likes and comments to show public support of Tioga County businesses

Monthly Review

- Each month, summarize analytics (post reach/engagement, etc.) to demonstrate the success of the social media strategy and show areas for improvement

MONTHLY PRICES

Post Creation and Scheduling (12/month)..... \$300

Post Creation and Scheduling (8/month)..... \$200

Monthly Engagement..... \$80

Monthly Review \$20

Total (12/month)..... \$400

Total (8/month)..... \$300

QUESTIONS?

madiktinney@gmail.com

607.972.5270

madisontinney.myportfolio.com

MMADISON
TINNEY

REFERRED TO: ED & P COMMITTEE

RESOLUTION NO. -19 RESOLUTION RECOGNIZING
RALPH E. KELSEY'S
TWENTY-TWO YEARS OF DEDICATED
SERVICE TO TIOGA COUNTY

WHEREAS: Ralph E. Kelsey was appointed to the position of Board Member of the Tioga County Industrial Development Agency on 12/8/97; and

WHEREAS: Over his twenty-two years of service, Ralph E. Kelsey worked on the Governance, Audit, Finance and Loan Committees of the Tioga County Industrial Development Agency; and

WHEREAS: Ralph E. Kelsey served as Treasurer and Vice-Chair until January of 2014 when he was appointed Chair of the Tioga County Industrial Development Agency until his resignation on 12/31/19; and

WHEREAS: Ralph E. Kelsey has faithfully volunteered his time and has been dedicated and loyal in the performance of his duties and responsibilities during the past twenty-two years, thereby earning the respect of his colleagues and peers throughout Tioga County; and

WHEREAS: Ralph E. Kelsey will resign from the Tioga County Industrial Development Agency on December 31, 2019; therefore be it

RESOLVED: That the Tioga County Legislature, on its own behalf, as well as on behalf of the citizens of Tioga County, express sincere gratitude to Ralph E. Kelsey for his twenty-two years of dedicated and loyal service to the residents of Tioga County; and be it further

RESOLVED: That this resolution be spread upon the minutes of this meeting and a certified copy be presented to this outstanding volunteer, Ralph E. Kelsey.

Tioga County Industrial Development Agency Procurement Policy

SECTION 1: PURPOSE AND AUTHORITY

The purpose of this document is to outline the procurement policy (the “Policy”) of the Tioga County Industrial Development Agency (the “Agency”) applicable to procurement of goods and services paid for by the Agency for its own use and benefit. The Act requires that goods and services must be procured by the Agency in such a manner so as to assure the prudent and economic use of public funds, to facilitate the acquisition of goods and services of maximum quality at the lowest possible cost under the circumstances, and to guard against favoritism, improvidence, extravagance, fraud and corruption.

SECTION 2: SECURING GOODS AND SERVICES

Each action taken in connection with each procurement must be supported by documentation. When an award is made to other than the lowest responsible bidder, the determination to make the award must be supported by documentation that justifies the award and sets forth the reasons why the award furthers the purposes of this Policy and provisions of section 104-b of the New York General Municipal Law.

SECTION 3: METHOD OF PURCHASE

The following method of Purchase will be used when required by this Policy in order to achieve the highest quality and savings:

<u>Estimated Amount of Purchase</u>	<u>Method Required</u>
Up to \$500	Discretion of the Chairperson to secure best pricing available under prevailing circumstances
\$501 - \$4,999	3 verbal or written quotations employing reasonable methods to secure best pricing available under prevailing circumstances with written documentation the process employed to obtain the quotes
\$5,000 to \$9,999	Lowest responsible bidder price based on 3 written/fax quotations in

response to a request for proposal unless emergency circumstances dictate otherwise, in which case such circumstances shall be documented in writing

\$10,000 and above

Lowest responsible bidder in response to advertisement for sealed bids. The bid which is the most advantageous to the Agency and pursuant to section 103 of the General Municipal Law, except as otherwise permitted by Article 5-A of the General Municipal Law

Number of Proposals or Quotations

A good faith effort shall be made to obtain the required number of proposals or quotations. If the purchaser is unable to obtain the required number of proposals or quotations, the purchaser will document the attempt made at obtaining the proposals. In no event shall the failure to obtain the proposals be a bar to the procurement.

Documentation

Documentation is required for each action taken in connection with each procurement. Documentation and an explanation are required whenever a contract is awarded to other than the lowest responsible bidder. This documentation will include an explanation of how the award will achieve savings or how the bidder was not acceptable. A determination that the bidder is not acceptable shall be made by the purchaser with the approval of the Audit Committee.

Payment

The TC IDA will endeavor to pay each qualified vendor within 15 days after receiving: (1) the good or service; and (2) a proper invoice.

MWBE

The TCIDA will make good faith efforts to procure goods and services from MWBEs.

Procurement Contact

The TCIDA Executive Administrator is the authorized contact for all procurements.

SECTION 4: CIRCUMSTANCES WHERE SOLICITATION OF ALTERNATIVE PROPOSALS AND QUOTATIONS ARE NOT IN THE BEST INTEREST OF THE AGENCY

Pursuant to Section 104-b (2) (f) of the General Municipal Law, this policy may contain circumstances when, or types of procurement for which, in the sole discretion of the members of the Agency, the solicitation of alternative proposals or quotations will not be in the best interest of the Agency. In the following circumstances, it may not be in the best interest of the Agency to solicit quotations or document the basis for not accepting the lowest bid.

Professional and Contracted Services

Professional services or services requiring special or technical skill, training or expertise. The individual, company or firm must be chosen based on accountability, reliability, responsibility, skill, conflict of interests, reputation, education and training, judgment, integrity, continuity of service and moral worth. Furthermore, certain professional services to be provided to the Agency, e.g., legal and accounting services, impact liability issues of the Agency and its members, including securities liability in circumstances where the Agency is issuing bonds. These qualifications and the concerns of the Agency regarding its liability and the liability of its members are not necessarily found or addressed in the individual, company or firm that offers the lowest price and the nature of these services are such that they do not readily lend themselves to competitive procurement procedures.

In determining whether a service fits into this category, the Agency shall take into consideration the following guidelines: (a) whether the services are subject to state licensing or testing requirements; (b) whether substantial formal education or training and experience is a necessary prerequisite to performance of the services. Professional or technical services shall include but not be limited to the following: services of an attorney (including bond counsel); services of a physician; technical services of an engineer engaged to prepare plans, maps and estimates; securing insurance coverage and/or services of an insurance broker; services of a certified public accountant; investment management services; marketing, advertising and/or printing services involving extensive writing, editing, or art work; management of Agency-owned property; and computer software or programming services for customized programs, or services involved in substantial modification and customizing of pre-package software.

Emergency Purchases

Emergency purchases pursuant to Section 103(4) of the General Municipal Law. Due to the nature of this exception, these goods or services must be purchased immediately and a delay in order to seek alternate proposals may threaten the life, health, safety or welfare of the public. This section does not preclude alternate proposals if time permits. The Chairman or Designee shall obtain a verbal quote, at a minimum, which shall be documented and shall also include a description of the facts giving rise to the emergency and that it meets the criteria set forth herein. Said documentation may also include the opinions of Counsel regarding the exception from bidding.

Purchases of Secondhand Goods

If alternate proposals are required, the Agency is precluded from purchasing surplus and second-hand goods at auctions or through specific advertising sources where the best prices are usually obtained. It is also difficult to try to compare prices of used goods and a lower price may indicate an older product.

Sole Source

Defined as a situation when there is only one possible source item which to procure goods and/or services and it is shown that the item needed has unique a benefit, the cost is reasonable for the product offered and there is not competition available. In this situation, a request for a resolution waiving bidding requirements is required.

Goods or Services Under \$500

The time and documentation required to Purchase through this Policy may be more costly than the item itself and would therefore not be in the best interest of the taxpayer. In addition, it is not likely that such minimal contracts would be awarded based on favoritism.

Buy Local

Reasonable preference will be given to making purchases from Tioga County businesses.

SECTION 5: UNINTENTIONAL FAILURE TO COMPLY

The unintentional failure to comply with the provision of Section 104-b of the General Municipal Law shall not be grounds to void action taken or give rise to a cause of action against the Agency or any officer thereof.

SECTION 6: POLICY REVIEW

The statute requires that the Policy must be reviewed by the Agency annually. Any amendments will be approved by the Agency's Board of Directors.