

# Tioga County Industrial Development Agency

56 Main Street

Owego, NY 13827

Wednesday, July 1, 2015, 5:30 p.m.

## Minutes

1. **Call to Order and Introductions** – the meeting was called to order by the Chair, R. Kelsey at 5:30 p.m.

2. **Attendance**

A. IDA Board Members

1. Roll Call: R. Kelsey, R. Case, T. Monell and K. Gillette

a. Absent:

b. Excused: K. Dougherty, A. Gowan

B. Guests: L. Tinney, J. Meagher, C. Haskell, R. Fiato

3. **Privilege of the Floor - None**

4. **Project Updates**

A. Nichols Cross Dock, LLC

1. Results from the public hearing - There was no opposition for the project. Ms. Tinney, Tioga County Director of Economic Development & Planning explained the benefits requested by Nichols Cross Dock, LLC. Ms. Tinney also read letters of support from the Town of Nichols Supervisor, Mr. Kevin Engelbert and Ms. Martha Sauerbrey, Chair of the Tioga County Legislature. Ms. Tinney noted that Dr. William Russell, Superintendent of Owego Apalachin School District will be sending a letter of support. Ms. Tinney also noted that she attended all board meetings of the effective municipalities to explain the project and benefits being requested by Nichols Cross Dock, LLC. Mr. Charles Wallace, President of VIP Structures gave a brief statement and thanked the TCIDA and Ms. Tinney for their assistance and consideration of the project. No other public comment was made.

2. Resolution finalizing the preliminary inducement resolution for a certain commercial project for Nichols Cross Dock, LLC (the "Company"), authorizing the execution and delivery of certain documents with respect to the project, and declaring that the project constitutes an "unlisted action" that will not have a "significant effect on the environment." (T. Monell/R. Case)

Aye: 4

Abstained: 0

Nay: 0

Carried

B. Lockheed Martin Closing – Ms. Tinney spoke with Mr. Tony Rosemarino from Lockheed Martin; Mr. Rosemarino stated that we should be seeing the executed documents and administration fee soon.

5. **Correspondence - none**

6. **Approval of Minutes (T. Monell/K. Gillette)**

Aye: 4

Abstained: 0

Nay: 0

Carried

**7. Financial Report**

A. Reports

1. Balance Sheet
2. Profit & Loss
3. Transaction Detail
4. 2<sup>nd</sup> Quarter Report – Operating Income vs Operating Expense

Motion to acknowledge the financial statements (K. Gillette/R. Case)

|        |              |
|--------|--------------|
| Aye: 4 | Abstained: 0 |
| Nay: 0 | Carried      |

**8. Affirm Email Poll** – Affirm the resolution for the IDA to sponsor an ad with the Legislative Gazette in the amount of \$1582.40 (the IDA & ED&P will split the cost equally, \$791.20 each)

Motion for the IDA to sponsor an ad with the Legislative Gazette in the amount of \$1582.40 (the IDA & ED&P will split the cost equally, \$791.20 each)(K. Gillette/R. Case)

|        |              |
|--------|--------------|
| Aye: 4 | Abstained: 0 |
| Nay: 0 | Carried      |

**9. E-Site Development Project Update**

1. Update - Progress of Delta Engineers' Design Project
  - a. Village of Owego Subdivision Application – submitted on 6/24/2015. Per David Chase from Delta, the road design is tentatively scheduled to be completed by July 14, 2015. The subdivision process is on-going. United Water and the Health Department will need to approve the design of the waterline extension prior to construction.

b. Owego Gardens – FGEIS Review

Motion for the lead agency, Tioga County IDA, has reviewed the final generic environmental impact statement (FGEIS) and determined that it adequately addresses all the potential significant adverse impacts of the subsequently proposed Owego Gardens development project, and therefore no supplemental EIS is necessary. (T. Monell/K. Gillette)

|        |              |
|--------|--------------|
| Aye: 4 | Abstained: 0 |
| Nay: 0 | Carried      |

- c. E-Site Design Project Income & Expense Spreadsheet – The income/expense spreadsheet was provided to the board.

2. Waterline Easement Update - Shumaker will provide an easement map and description for Agency Counsel to prepare easement agreement. Per David Chase from Delta, this step isn't critical at this time and can be addressed in the near future.
3. Owego Gardens - Local Approvals Timeline – The timetable was provided to the board.
4. CFA Update – Mr. Bryant Myers, Economic Specialist for ED&P is working on a CFA on behalf of the IDA for the cost of the water system at the E-Site. Mr. Myers will be ready to submit the application under the ESD Capital Grant and is requesting a grant reimbursement of 40% but not less than 20% of the total project cost of approximately \$1.2M.

5. Discussion - \$800,000 STREDC Loan – Nothing to discuss at this time

On June 30, 2015, Ms. Alison Hunt from Congressman Reed's office facilitated a meeting between United Water, TC ED&P and the IDA. Ms. Teresa Saraceno, Deputy Director of ED&P and Ms. Fiato attended a meeting with Mr. Matt Mahoney, Mr. Bill Madden, Mr. Jeff VanWagenen from United Water along with Ms. Alison Hunt from Congressman Reed's office to discuss United Water installing a water tank at the E-Site to assist in development of the site. United Water will pull together an estimate for the cost to construct the water tank and how this will affect its current customers. The United Water representatives recommended that ED&P and the IDA have a conversation with any of the big water users to discuss the

development of the E-Site and how a rate increase would impact them. If United Water were to request a rate increase, they would have to bring it in front of the public service commission for approval. From United Water's perspective, it's important to have support from the larger user in the community. Ms. Tinney will follow-up with the representatives from United Water as well as Ms. Hunt from Congressman Reed's office.

- 10.** A. Public Authority Accountability Act
  1. Audit Committee Report (A. Gowan, R. Kelsey, K. Dougherty) – Sent a RFP for auditing services on 6/18/2015 – Waiting for responses back.
  2. Governance Committee Report (R. Kelsey, A. Gowan, K. Dougherty)
    - a. Discussion - Expand the number of board members from seven (7) to nine (9) – Cannot expand the number of board members unless there is special state legislation from New York State.
    - b. Discussion – Proposed new board member – Ms. Tinney will present Ms. Jan Nolis to the Tioga County Economic Development Legislative Committee to fill the open seat on the IDA Board of Directors.
  3. Finance Committee Report (R. Kelsey, A. Gowan, K. Gillette) - Renew two CDs at .45% for 12 months

**11. PILOT Updates**

- A. Nothing to report at this time

**12. Report**

- A. Railroads
  1. Committee Report (T. Monell, W. Caloroso, R. Case, K. Gillette)
- B. Loan Program
  1. IRP 4 Loan Request – Charles Cornell – The loan request was tabled until additional information can be obtained
  2. Façade Loan Request – Ike Lovelass, 13 Lake Street, Owego  
Ike Lovelass - Loan Request for \$25,119  
Motion to recommend the loan request from Ike Lovelass in the amount of \$25,119 with the following terms/conditions (K. Gillette/T. Monell; R. Kelsey abstained) Ms. Fiato will email Mr. Gowan and Mr. Dougherty to confirm their approval or denial for the loan and affirm at the next board meeting.
    - Maximum of \$25,119 at 0% fixed for six (6) years (\$348.88/month)
    - Loan funds will be used to reimburse for 90% of cost for exterior renovations to include windows/doors, install of new sign, repointing of brick, painting and wood and masonry repairs
    - Unconditional Personal guarantee of Ike and Julie Lovelass
    - Key person life insurance on Ike and Julie Lovelass, 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 2<sup>nd</sup> co-security interest on the real property located at 13 Lake Street, Owego, NY
    - All applicable local, state and federal requirements to apply
  3. Loan Funds Availability – Ms. Fiato advised the board there is \$619,660 of funds available to loan out
  4. Advertisement of IDA & Commercial Façade Loan Programs– Ms. Fiato advertised the Commercial Façade & IDA Loan Programs in the Greater Valley Chamber of Commerce

Newsletter. The loan committee recommended that Ms. Fiato email the small business banking lenders on a bi-monthly schedule to remind them of the IDA and Commercial Façade Loan Programs.

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

Motion to move into Executive Session at 6:00 p.m. pursuant to Public Officers Law Section 105 (R. Case/T. Monell)

Exit Executive Session at 6:40 p.m. (T. Monell/R. Case)

**Resolution to approve Larson Design Group to apply on behalf of Tioga County IDA for the wastewater system upgrade at the Hunt Creek Road- Lounsberry south site with funding from the 2015 NY State Empire State Development Funds (T. Monell/R. Case)**

Aye: 4

Abstained: 0

Nay: 0

Carried

**Approve a Contract from Hartgen Archeological Associates to complete a Phase 1A & B Archeological Study on the Lounsberry South Property (Tax Map #149.00-1-46) for a lump sum of \$700 to complete the report and submit to SHPO to get determination letter.**

**Motion to affirm expenditure in the amount of \$700 from Hartgen Archeological Associates (K. Gillette/T. Monell)**

Aye: 4

Abstained: 0

Nay: 0

Carried

**14. Next Meeting – Wednesday, August 5, 2015**

**15. Adjourned** - R. Kelsey adjourned the meeting at 6:45 p.m. (K. Gillette/T. Monell)

Attachments:

June DRAFT Minutes

June Financial Report

2<sup>nd</sup> Quarter Report – Operating Income vs Operating Expense

Owego Gardens Local Approvals Timeline

E-Site Statement of Findings

E-Site Final Generic Environmental Impact Statement

E-Site Design Project Income & Design Spreadsheet

Nichols Cross Dock, LLC Full Environmental Assessment Form

**EXECUTIVE SESSION MEETING MINUTES**  
**Tioga County Industrial Development Agency**

Date: 7/1/2015

Time: 6:00 p.m.

On a motion of Board Member Case, seconded by Board Member Monell, the Board of Directors went into Executive Session to discuss:

1. Financial matters of a particular person(s)

Motion to Exit Executive Session at 6:40 p.m.