

Tioga County Industrial Development Agency
July 13, 2016 • 4:30 p.m. • Ronald E. Dougherty County Office Building
56 Main Street, Owego, NY 13827

Minutes

1. Call to Order and Introductions – Chairperson R. Kelsey called the meeting to order at 4:32pm.

2. Attendance

A. IDA Board Members

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

a. Absent:

b. Excused: A. Gowan

2. Guests:

B. Myers, L. Tinney, C. Haskell, J. Meagher, J. Bellis, J. McNamera, K. Millar, G. Wiley

3. Privilege of the Floor-

A. J. McNamera – Renovus Solar

J. McNamera presented to the IDA the projects that Renovus Solar is considering in Tioga County. *K. Gillette Arrived 4:38pm*

J. McNamera expressed the possible need for IDA assistance with the proposed projects.

J. McNamera will be providing the IDA Board with project modeling.

4. Approval of Minutes –

A. June 1, 2016 Regular Meeting Minutes

Motion to approve June 1, 2016 Minutes (M. Sauerbrey, J. Nolis)

Aye – 6 Abstain – 0

No – 0 Carried

B. June 1, 2016 Loan Committee Meeting

Motion to approve June 1, 2016 Minutes (M. Sauerbrey, T. Monell)

Aye – 6 Abstain – 0

No – 0 Carried

5. Motion to affirm email vote for:

A. Support Letter for Downtown Anchor Project – This project is for The Owego Parkview’s Downtown Anchor CFA application.

Motion to affirm email vote (M. Sauerbrey, J. Nolis)

Aye – 6 Abstain – 0

No – 0 Carried

B. Support Letter for Gateway Grant Applications – This project is the Downtown Owego, Front Street infill projected headed by B. Nelson.

Motion to affirm email vote (T. Monell, J. Nolis)

Aye – 6 Abstain – 0

No – 0 Carried

C. Wetland Investigation of the E-Site – Results are forthcoming.

Motion to affirm email vote (M. Sauerbrey, T. Monell)

Aye – 6 Abstain – 0

No – 0 Carried

6. Financial Report – B. Myers – Financial reports are tabled until next month.

A. Reports

1. Balance Sheet
2. Profit & Loss
3. Transaction Detail

7. Project Updates

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

1. Update - The project is moving along well. Crown has been training new hires in the County Office Building.
2. Costs Spreadsheet – The costs associated with the WWTP are consistent with budget as of 6/29/16.
3. Larson Design Group – J. Bellis
 - a. WWTP Update – The submittal process for the project is ongoing. Major construction/excavation is forthcoming. Concrete slab is to be placed 7/25/16. Goal: 12/1/16 construction completion.
 - b. Water Update – SRBC conditional approval on aquifer. Project is going well.

B. Tioga Downs Racetrack, LLC – B. Myers

1. Update – Construction of gaming facility addition and restaurant is nearing completion. Virgil’s restaurant is thought to be open 8/2/16. No update on casino license.

C. Owego Gardens Project Update - B. Myers

1. Update – Hoping to finish window and exterior door installations within the next two weeks. Paving should be completed by 8/1/16.

D. FedEx Project – B. Myers

1. Update – Footings and foundations have been constructed. Steel is to be erected within the next week. Project manager is confident project will be completed by 12/20/16.

8. PILOT Updates- B. Myers

A. Nichols Cross Dock Closed 6/29 – B. Myers – Thank you Joe and Susan. Admin fee has been collected.

B. PILOT Recapture Clause – J. Meagher – 4 new policies to adopt. J. Meagher suggested a Governance Committee meeting to review the proposed changes and offer recommends to the

full board at the 8/3 regular meeting.

9. New Business – B. Myers

A. E-Site Legal Re-drawings - \$150 – The legal re-drawings and descriptions proposed are necessary for future sale of the property. The new drawings and descriptions would describe how much is left for sale the land sale for the Owego Gardens project.

Motion to affirm purchase of legal drawings (M. Sauerbrey, K. Dougherty)

Aye – 5 Abstain – 0

No – 1 (J. Nolis) Carried

10. Old Business – B. Myers

A. Public Authority Accountability Act

1. Audit Committee Report (R. Kelsey, K. Dougherty, J. Nolis)

a. None

2. Governance Committee Report (R. Kelsey, K. Dougherty, J. Nolis)

a. Starting the Simple IRA Plan

- B. Myers mentioned his intention to begin the retirement plan offered by the IDA.

b. Starting Health Benefits Plan

- B. Myers mentioned his intention to begin the health benefits plan offered by the IDA.

3. Finance Committee Report (R. Kelsey, A. Gowan, K. Gillette)

a. Chemung Canal – Draw note on URI Grant for \$1,000,000.00 was approved. Confirmed 7/13/16 by B. Pichette. Offer letter is forthcoming.

B. Bill Woods Park Bench – B. Myers

1. Final Call for Attendees – Fill in sheet

- B. Myers took a final call for attendees.

2. Event Speakers

- R. Kelsey and L. Tinney are going to speak at the event.

C. NV Sidewalk Project – Agreement 6/29

Sidewalk project agreement has been constructed and executed. Project is hoped to begin in September.

D. WTC Grant II Awarded \$295,200.00

Phase II for the WTC grant project has been awarded. Project to start once phase I is completed.

E. Outlet Mall Concept – Fagan Engineering

It has been decided that Tioga County ED&P will not pursue CFA funds for this project; however, they will pursue a “concept” for an outlet mall in Tioga County. L. Tinney proposed to the IDA to split the costs of a concept. The amount requested from the IDA is \$2,000.00

Motion to approve \$2,000.00 split with Tioga County Economic Development and Planning for Fagan Engineering to conduct an outlet mall concept for Tioga County (M. Sauerbrey, J. Nolis)

Aye – 5 Abstain – 0

No – 1 (J. Nolis) Carried

11. Reports

A. Railroads

1. Committee Report (T. Monell, K. Gillette)
 - a. Income to Date
Slightly less income for April compared to 2015.

B. Loan Program – B. Myers

- a. Scope of Work Consolidation – Sent to S. Davis 6/17/16.

The Loan Committee recommends to the full board that the new loan program scope of work be adopted with the forthcoming recommendations from the USDA.

Motion to affirm the loan committee's suggestion to adopt the IDA's loan program scope of work consolidation (M. Sauerbrey, K. Dougherty)

Aye – 6 Abstain – 0

No – 0 Carried

- b. R&C Auto Loan – The Loan committee reviewed the following application, and recommended approval:

- \$40,000.00 loan at 4.5% fixed interest for fifteen (15) years (\$306.00/mo.)

- A 2nd position security in the amount of \$11,000.00 will be taken as collateral for the equity requirement.

- Russ and Cynthia Cornwell will provide their unconditional personal guarantee.

- Loan funds will be used to cover 18% of the TPC of \$220,000.00, with funds used for the acquisition of land for this project.

- Key person life insurance on Russ and Cynthia Cornwell at least in the amount of the outstanding debt and assigned to the Tioga County IDA 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 to equal to the amount of the declining loan balance.

- Collateral included 2nd security on the land purchase to Citizens and Northern Bank.

- All applicable local, state, and federal requirements to apply.

Motion to affirm the loan committee's suggestion to approve the \$40,000.00 IRP loan for R&C Auto (M. Sauerbrey, T. Monell)

Aye – 6 Abstain – 1 (K. Dougherty)

No – 0 Carried

- c. Towne Diner – The Loan Committee reviewed the following façade loan application, and recommended approval:

- \$19,690.20 loan at 0% fixed interest for six (6) years (\$273.45./month)

- Ronald and Joan Fairlie will provide their unconditional personal guarantee.

- Loan funds will be used to reimburse for 90% of total project cost of \$21,878.00 for roof and siding replacement of 510 Chemung Street.

- Key person Life Insurance on Ronald and Joan Fairlie 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 510 Chemung Street, Waverly, NY

- Full market value as of 2015 - \$105,341.

- All applicable local, state and federal requirements to apply.

Motion to affirm the loan committee's suggestion to approve The Towne Diner's façade loan application (M. Sauerbrey, K. Dougherty)

Aye – 6 Abstain – 0

No – 0 Carried

d. Subordination Agreement – B. Myers

The loan committee recommends to the full board that a subordination agreement regarding the 5 Star Complex façade loan be granted to Citizens and Northern Bank, giving the IDA second position securities in relation to the project.

Motion to affirm the loan committee's suggestion to approve the subordination agreement between The Tioga County IDA and Citizen's and Northern Bank regarding the 5 Star Complex façade loan(T. Monell, K. Gillette)

Aye – 6 Abstain – 1 (K. Dougherty)

No – 0 Carried

**12. Motion to move into Executive Session pursuant to Public Officers Law Section 105
(J. Nolis, T. Monell) 5:40pm**

Aye – 6 Abstain – 0

No – 0 Carried

**TC IDA came out of executive session at 6:25pm to make a motion to adjourn the meeting.
(T. Monell, K. Gillette)**

Aye – 6 Abstain – 0

No – 0 Carried

13. Next Meeting – Wednesday, August 3, 2016

14. Adjourned – 6:25pm