



Tioga County Industrial Development Agency
August 5, 2020 – 4:30 pm
Ronald E Dougherty County Office Building
56 Main Street, Owego, NY 13827
Agenda

Call to Order and Introductions

Attendance

IDA Board Members

Roll Call: J. Ceccherelli, K. Gillette, A. Gowan, T. Monell, M. Sauerbrey, E. Knolles
Absent:
Excused: J. Ward
Guests: C. Curtis, C. Haskell, J. Meagher, L. Tinney

Privilege of the Floor: None

Approval of Minutes

- A. [July 1, 2020 Regular Meeting Minutes](#)
- B. [July 10, 2020 Loan Committee Meeting Minutes](#)

Financials

- A. [Balance Sheet](#)
- B. [Profit & Loss](#)
- C. [Transaction Detail](#)

ED&P Update: L. Tinney

Project Updates: C. Curtis

- A. Owego Gardens II
 - 1. Affirm email vote – [Purchase & Sale Agreement Extension](#)
 - 2. DEC Water Quality Certificate
 - 3. HCR [Early Notice](#) & [TCIDA Letter of Support](#)
 - 4. Land Clearing
- B. V&S Water Sewer Extension
 - 1. Final GDA

New Business: C. Curtis

- A. Tax Map ID# 85.00-1-35 residence impeding Railroad ROW
 - 1. [Survey](#)

Old Business: C. Curtis

- A. Public Authority Accountability Act (PAAA)
 - 1. Audit Committee Report: A. Gowan, E. Knolles, J. Ward
 - a. Nothing to report
 - 2. Governance Committee: J. Ceccherelli, A. Gowan, E. Knolles
 - a. Upcoming Events



1. August – Annual evaluation & salary reviews
2. September – Salary vote
3. Sexual harassment training
3. Finance Committee: J. Ceccherelli, A. Gowan, K. Gillette
 - a. Beginning Budget Discussions
 1. October approval; Submit to PARIS by 10-31-2020
4. Loan Committee: S. Thomas, A. Gowan, R. Kelsey, K. Dougherty, D. Barton, J. Ward, J. Ceccherelli
 - a. Façade Loan Program
 1. The Cellar - \$40,000 loan approved
 - B. Blodgett Road
 - C. USDA RBDG Grants Approved
 1. Ag Value Chain - \$69,945
 2. Broadband - \$65,397

PILOT Updates: C. Curtis

- A. Sales Tax Exemptions Update: C. Curtis
 1. V&S New York Galvanizing – \$671,869.82/ Authorized \$771,000
 2. Best Buy – \$588,500.67/ Authorized \$1,028,429

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

Next Meeting: Wednesday September 2, 2020

Adjournment

Tioga County Industrial Development Agency

July 1, 2020 • 4:30 p.m. • Ronald E. Dougherty County Office Building

56 Main Street, Owego, NY 13827

DRAFT

Regular Meeting Minutes via Zoom Phone Conference

- I. **Call to Order and Introductions** – Chairwoman J. Ceccherelli called the meeting to order at 4:30 p.m.
- II. **Attendance** –
IDA Board Members:
A. Roll Call: J. Ceccherelli, K. Gillette, A. Gowan, M. Sauerbrey T. Monell, J. Ward, E. Knolles
B. Absent: None
C. Excused: None
D. Guests: C. Curtis, L. Tinney (*joined meeting @ 4:34 p.m.*), C. Haskell, J. Meagher, D. Griffin, M. Freeze
- III. **Privilege of the Floor** – None
- IV. **Approval of Minutes**
A. June 3, 2020 Regular Board Meeting Minutes (Zoom phone conference)
Motion to approve June 3, 2020 Regular Board meeting minutes via Zoom phone conference, as written. (M. Sauerbrey, T. Monell)
- | | |
|----------------|--------------------|
| Aye – 7 | Abstain – 0 |
| No – 0 | Carried |
- V. **Financials** –
A. Balance Sheet
B. Profit & Loss
C. Transaction Detail – C. Curtis identified three major expenses for June:
 - Final payment of \$6,369.51 to Procon Contracting for V&S Tioga Industrial Park Sewer/Water Extension
 - 2nd Quarter 2020 Ag Dev Specialist Contribution of \$5,000
 - Down Payment of \$1,000 for Owego Gardens II Purchase Agreement**Motion to acknowledge financials, as presented. (A. Gowan, J. Ward)**
- | | |
|----------------|--------------------|
| Aye – 7 | Abstain – 0 |
| No – 0 | Carried |
- VI. **Project Updates: C. Curtis**
A. Owego Gardens II – C. Curtis reported she and L. Tinney participated on a phone conference with Home Leasing and HFA (Housing Finance Agency) regarding the construction schedule and

funding. C. Curtis reported Home Leasing anticipates closing on the property in October 2020 with site work to begin in November 2020, therefore, moving the water tank work to spring 2021. C. Curtis reported Home Leasing is unable to work on the property until execution of the Purchase Sale Agreement and ownership obtained, noting it will be too late to clear the property in November. Therefore, Home Leasing proposed the IDA clear the property from Belva Lockwood Lane to the border at an IDA upfront cost with Home Leasing reimbursing through the final Purchase Sale Agreement. C. Curtis reported the specific cost for clearing the property is unknown at this time, but estimated at \$20,000 - \$50,000 by the County Planning Director. C. Curtis reported if the IDA Board were interested in entertaining this proposal, she would proceed with securing three quotes and update the Purchase Sale Agreement, upon IDA Attorney Meagher’s review, for the August meeting. The IDA Board was in favor of pursuing the specific scope of work and three bids for IDA Board consideration.

ACTION: C. Curtis will obtain the specific scope of work and secure three bids for IDA Board consideration at the August 5, 2020 IDA meeting.

C. Curtis presented a resolution for IDA Board consideration authorizing the transfer of the premises as described in Exhibit “A” to Suez Water Owego-Nichols, Inc. for a water tank connection with the Owego Gardens Associates II, LLC project.

Motion to adopt resolution authorizing the transfer of the premises as described in Exhibit “A” to Suez Water Owego-Nichols, Inc. for a water tank in connection with the Owego Gardens Associates II, LLC Project (M. Sauerbrey, T. Monell)

Aye – 7 Abstain – 0
No – 0 Carried

B. V&S Water Sewer Extension – C. Curtis reported Empire State Development (ESD) is currently reviewing the final grant disbursement agreement for signature. C. Curtis reported reimbursement would commence upon execution of the grant disbursement agreement.

VII. New Business: C. Curtis

A. Nichols Cross Dock – C. Curtis reported the IDA Board adopted a resolution at their May 2020 IDA Board meeting for the IDA to enter into an IDA Consent and Estoppel Agreement with Norman Cross-Nichols, LLC to transfer its interests in the June 30, 2016 Nichols Cross Dock, LLC Lease/Leaseback transaction and closing documents thereof, to CPI Nichols I, LLC and CPI Nichols II, LLC.

C. Curtis presented a resolution for IDA Board consideration to amend this resolution and replace it with FEM Buck Road, LLC and not CPI Nichols I and II, LLC based on new ownership. C. Curtis reported this is solely a name change due to change in ownership and that the facility will continue to operate as usual.

Motion to adopt resolution authorizing the Chairwoman, on behalf of the Agency, to enter into an IDA Consent and Estoppel and a Memorandum of Assignments of Agreements with Norman Cross-Nichols, LLC, allowing Norman Cross-Nichols, LLC to transfer its interests in the June 30, 2016 Nichols Cross Dock, LLC Lease/Leaseback transaction, and all closing documents thereof, to FEM Buck Road, LLC. (T. Monell, K. Gillette)

Aye – 7 Abstain – 0
No – 0 Carried

B. ABO Policy Guidance No. 20-02 – C. Curtis reported this guidance allows IDA’s to grant and/or loan their own funds for COVID-19 related needs noting this is the first-ever that IDA’s have been able to loan and/or grant their own funding.

C. Crown Cork and Seal Agency Fee Installments – C. Curtis reported Crown Cork and Seal have paid five out of the ten annual fee installments of \$42,000 leaving a balance due of \$210,000 to be paid over the course of the next five years.

D. C. Curtis completed the following trainings:

- COVID-19; CARES Act – A Closer Look with IEDC
- SBA PPP/EIDL Update for Local Partners
- Binghamton SBDC Lunch & Learn – SBA Loan Programs
- Binghamton SBDC Lunch & Learn – COVID-19 Federal Update from Congressman Brindisi
- IEDC COVID-19; Rebuilding Municipalities Around the Globe
- ESD NY Forward Loan Fund
- NYSEDC IDA Academy (Virtual) – New Prevailing Wage Law, OSC Oversight & Audits, CLCPA/Energy Policies – COVID-19 Response Efforts
- IEDC – From Farmers to Grocers to Services; Food Systems are Changing

IX. Old Business: C. Curtis

A. Public Authority Accountability Act (PAAA)

1. Audit Committee Report: A. Gowan, E. Knolles, J. Ward
 - a. Nothing to report.
2. Governance Committee: J. Ceccherelli, A. Gowan, E. Knolles
 - a. Nothing to report.
3. Finance Committee: J. Ceccherelli, A. Gowan, K. Gillette
 - a. Nothing to report.
4. Loan Committee: S. Thomas, A. Gowan, R. Kelsey, K. Dougherty, D. Barton, J. Ward, J. Ceccherelli
 - a. County COVID-19 Emergency Relief Loan Program –
 1. Court View Properties, LLC – C. Curtis reported \$60,000 loan was approved directly by Tioga County ED&P Legislative Committee noting TCIDA Loan Committee recommendation was not requested. Loan closed on June 19, 2020.

X. PILOT Update: C. Curtis

A. Sales Tax Exemptions Update: C. Curtis

1. V&S New York Galvanizing – C. Curtis reported V&S is submitting monthly sales tax reports and, to date, the company has used \$671,704.94 of their authorized \$771,000 sales tax exemption.
2. Best Buy – C. Curtis reported Best Buy is submitting monthly sales tax reports and, to date, the company has used \$535,186.83 of their authorized \$1,028,429 sales tax exemption.

XI. Executive Session: An Executive Session was not conducted.

XII. Adjournment: E. Knolles motioned to adjourn the meeting at 4:47 p.m.

XIII. Next Meeting: Wednesday, August 5, 2020 at 4:30 p.m. Legislative Conference Room.

Respectfully submitted,

Cathy Haskell

IDA Executive Assistant



Tioga County IDA
Loan Committee Phone Conference Meeting
July 10, 2020 – 9 am
Minutes

Members: S. Thomas, R. Kelsey, K. Dougherty, D. Barton, A. Gowan, J. Ward, J. Ceccherelli
Present: S. Thomas, R. Kelsey, D. Barton, A. Gowan, J. Ward, J. Ceccherelli
Guests: C. Curtis

A. Gowan called the meeting to order at 9:02

New Business

A. TCIDA Façade Loan Program

1. The Cellar – Recommend approval in amount of \$40,000

Aye – 5 Abstain – 1
No – 0 Carried.

B. Tioga County COVID-19 Emergency Relief Loan Program

1. Hill's Automotive Center – Business owner withdrew loan request because she was unable to provide required financial documentation to TCIDA and because she received SBA loan approval. Credit report already obtained; loan application fee not refunded.

Adjourned: Meeting adjourned at 9:13 am

Tioga County Industrial Development Agency

Balance Sheet

As of July 31, 2020

	Jul 31, 20	Jul 31, 19	\$ Change
ASSETS			
Current Assets			
Checking/Savings			
Restricted Cash Accounts			
COVID-19	330,000.00	0.00	330,000.00
Community- Facade Improvement	132,561.98	88,731.12	43,830.86
CCTC- Industrial Park	11,795.37	11,995.37	-200.00
USDA Funds			
CCTC- Loan Loss Reserve	40,455.10	40,436.54	18.56
TSB- IRP 2016 (Formerly IRP 4)	123,181.44	118,299.51	4,881.93
TSB- RBEG	125,287.71	127,210.86	-1,923.15
TSB- marketing	1,240.60	1,477.70	-237.10
Total USDA Funds	290,164.85	287,424.61	2,740.24
Total Restricted Cash Accounts	764,522.20	388,151.10	376,371.10
CCTC- CDs			
Land Acquisition (879)	540,715.81	534,542.01	6,173.80
Capital Improvement (284)	318,847.13	315,216.99	3,630.14
Total CCTC- CDs	859,562.94	849,759.00	9,803.94
Temporarily Restricted Cash Acc			
TSB-Owego Gardens	112,712.35	22,661.35	90,051.00
TSB-Crown Cork and Seal	300,105.67	300,105.67	0.00
Community- BestBuy PILOT Acct.	570,329.04	570,227.60	101.44
Total Temporarily Restricted Cash Acc	983,147.06	892,994.62	90,152.44
Unrestricted Cash Accounts			
TSB ICS	1,862,035.61	2,143,460.78	-281,425.17
TSB- checking	26,773.96	356,367.87	-329,593.91
TSB- general fund	125,669.50	125,577.27	92.23
Total Unrestricted Cash Accounts	2,014,479.07	2,625,405.92	-610,926.85
Total Checking/Savings	4,621,711.27	4,756,310.64	-134,599.37
Other Current Assets			
COVID-19 ERLP			
C-6-A	60,000.00	0.00	60,000.00
C-5-A	10,000.00	0.00	10,000.00
C-4-A	10,000.00	0.00	10,000.00
C-3-A	25,000.00	0.00	25,000.00
C-2-A	15,000.00	0.00	15,000.00
C-1-A	25,000.00	0.00	25,000.00
Total COVID-19 ERLP	145,000.00	0.00	145,000.00
Accounts Receivable 1300.01	395,041.19	730,888.89	-335,847.70
Allowance for Doubtful Accounts	-35,000.00	-35,000.00	0.00
Commercial Facade Loan Program			
Loan Rec - 2017-01-C	30,000.00	37,500.00	-7,500.00
Loan Rec - 2018-03-C	15,000.00	18,125.00	-3,125.00
Loan Rec - 2018-02-C	72.00	1,729.50	-1,657.50
Loan Rec - 2018-01-C	5,670.02	7,020.02	-1,350.00
Loan Rec - 2017-03-C	5,320.00	8,320.00	-3,000.00
Loan Rec - 2017-02-C	22,170.15	27,036.72	-4,866.57
Loan Rec - 2016-03-C	7,657.08	10,391.88	-2,734.80
Loan Rec - 2016-02-C	15,972.44	23,611.28	-7,638.84
Loan Rec - 2016-01-C	-0.09	4,891.66	-4,891.75
Loan Rec - 2015-06-C	7,317.14	10,975.74	-3,658.60
Loan Rec - 2014-01-C	169.34	2,203.82	-2,034.48
Loan Rec - 2015-05-C	5,991.36	8,385.84	-2,394.48
Total Commercial Facade Loan Program	115,339.44	160,191.66	-44,852.02
RBEG			
RBEG Loan Rec 2020-01	10,000.00	0.00	10,000.00
Loan Rec - RBEG 2019 -06	73,357.76	78,911.61	-5,553.85
Total RBEG	83,357.76	78,911.61	4,446.15
IRP 4			
Loan Rec 2019-07-A	40,000.00	0.00	40,000.00
Loan Rec - 2019 - 06A	91,699.52	98,639.50	-6,939.98
Loan Rec 2018-02-A	7,399.52	8,655.13	-1,255.61
Loan Rec 2018-01-A	64,117.43	67,058.43	-2,941.00
Loan Rec 2017-05-A	9,511.42	13,486.68	-3,975.26
Loan Rec 2017-04-A	34,115.50	35,813.26	-1,697.76

Tioga County Industrial Development Agency

Balance Sheet

As of July 31, 2020

	Jul 31, 20	Jul 31, 19	\$ Change
Loan Rec 2017-03-A	13,953.09	16,085.96	-2,132.87
Loan Rec 2017-02-A	47,726.23	65,633.69	-17,907.46
Loan Rec 2017-01-A	17,994.50	19,798.26	-1,803.76
Loan Rec 2016-01-A	7,439.01	16,580.27	-9,141.26
Loan Rec 2015-03-A	0.00	4,435.22	-4,435.22
Loan Rec 2009-02-A	50,451.58	51,251.58	-800.00
Total IRP 4	384,407.80	397,437.98	-13,030.18
IRP 3			
Loan Rec 2007-08-A	18,312.75	23,263.46	-4,950.71
Total IRP 3	18,312.75	23,263.46	-4,950.71
IRP 2			
Loan Rec 2011-03-A	20,853.24	29,686.12	-8,832.88
Total IRP 2	20,853.24	29,686.12	-8,832.88
Total Other Current Assets	1,127,312.18	1,385,379.52	-258,067.34
Total Current Assets	5,749,023.45	6,141,690.16	-392,666.71
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	601,257.05	0.00
Land-Louns			
Lopke	8,993.03	8,993.03	0.00
Town of Nichols	20,000.00	20,000.00	0.00
Berry	2,452.20	0.00	2,452.20
Hess	259,561.43	259,561.43	0.00
Land-Louns - Other	139,612.53	139,612.53	0.00
Total Land-Louns	430,619.19	428,166.99	2,452.20
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	-1,197,077.10	-1,175,790.43	-21,286.67
Total Fixed Assets	2,253,584.39	2,272,418.86	-18,834.47
TOTAL ASSETS	8,002,607.84	8,414,109.02	-411,501.18
LIABILITIES & EQUITY			
Liabilities			
Current Liabilities			
Other Current Liabilities			
Accrued Expenses	453.05	462,389.00	-461,935.95
PILOT Payments			
Spencer-Tioga Solar	89,600.00	0.00	89,600.00
Gateway Owego, LLC	1,600.00	1,500.00	100.00
Crown Cork and Seal	300,000.00	299,971.46	28.54
+ · 231 Main Town/County	0.00	-0.01	0.01
Owego Gardens	23,078.00	22,627.00	451.00
School - 231 Main Street	0.00	0.01	-0.01
CNYOG	0.00	274,971.49	-274,971.49
Best Buy PP	570,000.00	570,000.00	0.00
Rynone	0.00	44.08	-44.08
Total PILOT Payments	984,278.00	1,169,114.03	-184,836.03
Total Other Current Liabilities	984,731.05	1,631,503.03	-646,771.98
Total Current Liabilities	984,731.05	1,631,503.03	-646,771.98
Long Term Liabilities			
Tioga County COVID-19 ERLP	475,000.00	0.00	475,000.00
Loan Pay- IRP 4	222,620.13	222,620.13	0.00
Loan Pay- IRP 3	162,859.99	192,027.10	-29,167.11
Loan Pay- IRP 2	123,432.31	123,432.31	0.00
Loan Pay- IRP 1	61,543.98	61,543.98	0.00

Tioga County Industrial Development Agency

Balance Sheet

As of July 31, 2020

	Jul 31, 20	Jul 31, 19	\$ Change
Total Long Term Liabilities	1,045,456.41	599,623.52	445,832.89
Total Liabilities	2,030,187.46	2,231,126.55	-200,939.09
Equity			
Board Designated Funds	1,406,302.63	1,406,302.63	0.00
1110 - Retained Earnings	4,740,191.06	4,770,371.71	-30,180.65
Net Income	-174,073.31	6,308.13	-180,381.44
Total Equity	5,972,420.38	6,182,982.47	-210,562.09
TOTAL LIABILITIES & EQUITY	8,002,607.84	8,414,109.02	-411,501.18

Tioga County Industrial Development Agency

08/04/20

Profit & Loss

Accrual Basis

January through July 2020

	Jan - Jul 20	Jan - Jul 19	\$ Change
Ordinary Income/Expense			
Income			
Bank Service Charge Refund	47.50	0.00	47.50
Loan Interest Income			
IRP 4 - 2019 - 06A	1,883.03	664.40	1,218.63
RBEG 2019 -06	1,504.55	531.54	973.01
IRP 2			
2011-03-A	388.97	977.06	-588.09
Total IRP 2	388.97	977.06	-588.09
IRP 3			
2007-08-A	305.76	1,081.28	-775.52
Total IRP 3	305.76	1,081.28	-775.52
IRP 4			
2018-02-A	102.90	213.39	-110.49
2018-01-A	515.61	1,079.00	-563.39
2017-04-A	260.14	819.18	-559.04
2017-03-A	153.82	209.10	-55.28
2017-05-A	91.18	221.15	-129.97
2017-01-A	154.16	300.23	-146.07
2017-02-A	899.55	888.01	11.54
2016-01-A	355.06	562.61	-207.55
2015-03-A	0.00	114.74	-114.74
2010-02-A	0.00	148.01	-148.01
Total IRP 4	2,532.42	4,555.42	-2,023.00
Loan Interest Income - Other	0.00	572.27	-572.27
Total Loan Interest Income	6,614.73	8,381.97	-1,767.24
Loan Program Fee			
COVID-19 ERLP	450.00	0.00	450.00
Facade	100.00	0.00	100.00
IRP 4	0.00	1,800.00	-1,800.00
Total Loan Program Fee	550.00	1,800.00	-1,250.00
Loan Late Fee			
2016-02-C	83.32	0.00	83.32
RBEG 2019-16	24.30	0.00	24.30
IRP 4 2019-06-A	30.37	0.00	30.37
2018-01-C	5.00	5.00	0.00
2015-03 - 2015-03-A	0.00	30.00	-30.00
Loan Late Fee - Other	5.00	0.00	5.00
Total Loan Late Fee	147.99	35.00	112.99
Loan Administrative Fee	164.18	0.00	164.18
4110 - Grants			
Waverly Trade Center DOT Grant	0.00	10,880.00	-10,880.00
4110 - Grants - Other	232,500.00	465,000.00	-232,500.00
Total 4110 - Grants	232,500.00	475,880.00	-243,380.00
Interest Income-			
Interest Income- TSB ICS	6,168.55	12,413.05	-6,244.50
Community- Facade Improvement	18.51	21.96	-3.45
CCTC Loan Loss Reserve Account	10.08	11.75	-1.67
Community- Lounsberry	58.50	64.36	-5.86
TSB- checking	125.73	243.59	-117.86
TSB-general fund	50.12	58.34	-8.22
TSB- IRP 4	22.58	34.42	-11.84
TSB- RBEG	19.09	31.99	-12.90
TSB- marketing	0.22	0.26	-0.04

Tioga County Industrial Development Agency

Profit & Loss

08/04/20

January through July 2020

Accrual Basis

	Jan - Jul 20	Jan - Jul 19	\$ Change
Total Interest Income-	6,473.38	12,879.72	-6,406.34
Leases/Licenses	7,316.72	10,946.65	-3,629.93
4150 · Miscellaneous Income	237.50	0.00	237.50
OHRy freight	51,746.95	60,506.70	-8,759.75
Total OHRy	51,746.95	60,506.70	-8,759.75
4170 · PILOT Program Fees			
V&S NY Galvanizing LLC	0.00	84,131.50	-84,131.50
Gateway	0.00	16,416.39	-16,416.39
Owego Garden - Home Leasing	0.00	2,500.00	-2,500.00
Best Buy	0.00	2,500.00	-2,500.00
Total 4170 · PILOT Program Fees	0.00	105,547.89	-105,547.89
Sale of Property	1,000.00	0.00	1,000.00
Total Income	306,798.95	675,977.93	-369,178.98
Expense			
IDA Paint Program			
2019 · 2019	0.00	1,000.00	-1,000.00
Total IDA Paint Program	0.00	1,000.00	-1,000.00
66900 · Reconciliation Discrepancies	0.00	0.00	0.00
Grant Expense	341,324.22	465,000.00	-123,675.78
Marketing	475.00	0.00	475.00
Waverly Trade Center DOT Grant	0.00	10,880.00	-10,880.00
Tioga Industrial Park	200.00	0.00	200.00
Education			
Haskell	0.00	139.00	-139.00
Curtis	55.00	139.00	-84.00
Education - Other	0.00	25.00	-25.00
Total Education	55.00	303.00	-248.00
Loan Admin Fee			
IRP 4	860.07	0.00	860.07
Total Loan Admin Fee	860.07	0.00	860.07
Loan Program Expense			
COVID-19 ERLP	137.30	0.00	137.30
Loan Program Expense - Other	185.45	60.00	125.45
Total Loan Program Expense	322.75	60.00	262.75
6120 · Bank Service Charges			
Check order			
TSB IRP 4	15.00	57.30	-42.30
TSB RBEG	25.00	0.00	25.00
Total Check order	40.00	57.30	-17.30
6120 · Bank Service Charges - Other	68.50	60.00	8.50
Total 6120 · Bank Service Charges	108.50	117.30	-8.80
Copies	0.00	489.40	-489.40
6160 · Dues and Subscriptions	1,060.00	960.00	100.00
Employee benefit			
IRA Company Match	778.80	833.68	-54.88
IRA	0.00	0.00	0.00
Total Employee benefit	778.80	833.68	-54.88
6180 · Insurance			

Tioga County Industrial Development Agency

Profit & Loss

08/04/20

January through July 2020

Accrual Basis

	Jan - Jul 20	Jan - Jul 19	\$ Change
Travel/Accident (Hartford)	750.00	750.00	0.00
D & O (Philadelphia Ins. Co)	4,203.00	3,292.00	911.00
6190 · Disability (First Rehab Life)	243.27	157.04	86.23
Employee Health (SSA)	3,209.41	2,626.26	583.15
6185 · Property & Liability (Dryden)	10,678.20	9,803.08	875.12
RR Liability (Steadfast)	25,529.80	19,923.84	5,605.96
Total 6180 · Insurance	44,613.68	36,552.22	8,061.46
6200 · Interest Expense	3,770.03	6,385.15	-2,615.12
6240 · Miscellaneous	0.00	602.66	-602.66
6550 · Office Supplies	0.00	718.36	-718.36
6560 · Payroll Expenses			
Payroll Expenses - HSA	1,050.00	0.00	1,050.00
6560 · Payroll Expenses - Other	28,190.80	24,395.59	3,795.21
Total 6560 · Payroll Expenses	29,240.80	24,395.59	4,845.21
6250 · Postage and Delivery	27.45	68.47	-41.02
6270 · Professional Fees			
Ag Ec Dev Specialist Position	10,000.00	4,131.00	5,869.00
Administrative Services			
Tinney, M	1,800.00	2,000.00	-200.00
Haskell	5,425.00	5,425.00	0.00
Tinney	14,875.00	12,750.00	2,125.00
Total Administrative Services	22,100.00	20,175.00	1,925.00
6650 · Accounting			
Jan Nolis	2,190.00	3,116.25	-926.25
6650 · Accounting - Other	7,000.00	12,500.00	-5,500.00
Total 6650 · Accounting	9,190.00	15,616.25	-6,426.25
6280 · Legal Fees			
Special Project Fees	0.00	18,000.00	-18,000.00
6280 · Legal Fees - Other	13,524.45	20,985.50	-7,461.05
Total 6280 · Legal Fees	13,524.45	38,985.50	-25,461.05
6270 · Professional Fees - Other	0.00	8,744.94	-8,744.94
Total 6270 · Professional Fees	54,814.45	87,652.69	-32,838.24
6670 · Program Expense			
Water Tower	504.00	30,547.25	-30,043.25
Total 6670 · Program Expense	504.00	30,547.25	-30,043.25
Property Taxes			
Stanton Hill 9.64A Town Lot	234.97	0.00	234.97
96 · Smith Creek Rd	256.00	181.63	74.37
540 · Stanton Hill	177.83	21.03	156.80
Spring St	0.26	0.25	0.01
Berry Road (47)	149.85	106.32	43.53
Carmichael Road	4.43	3.95	0.48
Smith Creek Road	24.90	17.66	7.24
Glenmary Drive	10.49	11.03	-0.54
Metro Road	8.74	9.19	-0.45
Total Property Taxes	867.47	351.06	516.41
Real Estate Taxes	0.00	2,357.00	-2,357.00
6770 · Supplies	458.52	127.70	330.82
6340 · Telephone	0.00	80.02	-80.02
6350 · Travel & Ent			

Tioga County Industrial Development Agency

Profit & Loss

08/04/20

January through July 2020

Accrual Basis

	Jan - Jul 20	Jan - Jul 19	\$ Change
6380 · Travel	0.00	188.25	-188.25
6350 · Travel & Ent - Other	1,391.52	0.00	1,391.52
Total 6350 · Travel & Ent	1,391.52	188.25	1,203.27
Total Expense	480,872.26	669,669.80	-188,797.54
Net Ordinary Income	-174,073.31	6,308.13	-180,381.44
Net Income	-174,073.31	6,308.13	-180,381.44

**Tioga County Industrial Development Agency
Transaction Detail**

08/03/20

July 2020

Accrual Basis

Type	Date	Num	Name	Memo	Amount
Restricted Cash Accounts					
Community- Facade Improvement					
Deposit	07/01/2020			Loan Pmt	250.00
Deposit	07/03/2020			Loan Pmt	625.00
Deposit	07/08/2020			Loan Pmts	710.27
Deposit	07/23/2020			Loan Pmts	1,117.59
Total Community- Facade Improvement					2,702.86
USDA Funds					
TSB- IRP 2016 (Formerly IRP 4)					
Deposit	07/01/2020			Loan Pmt	152.54
Deposit	07/01/2020			Loan Pmt	306.00
Deposit	07/08/2020			Loan Pmt	1,088.88
Deposit	07/10/2020			Loan Pmt	559.08
Deposit	07/23/2020			Loan Pmt	200.00
Deposit	07/31/2020			Loan Payments	2,593.03
Total TSB- IRP 2016 (Formerly IRP 4)					4,899.53
TSB- marketing					
Check	07/23/2020	X	TCIDA	Reimburse marketing expense (ck#6540 checking acc)	-237.50
Total TSB- marketing					-237.50
Total USDA Funds					4,662.03
Total Restricted Cash Accounts					7,364.89
Unrestricted Cash Accounts					
TSB- checking					
Check	07/06/2020	6502	LeeAnn Tinney	July 2020 Professional Services	-2,125.00
Check	07/06/2020	6503	Jan Nolis, CPA	Prof Svcs	-125.00
Check	07/06/2020	6504	Christine Curtis	June 2020 HSA	-150.00
Check	07/07/2020	6506	Madison Tinney.	June 2020 Invoice # 2020-26	-300.00
Check	07/08/2020	6505	Christine E Curtis	Pay Period: 6/21/2020-7/4/2020	-1,311.44
Deposit	07/08/2020			Rfnd Industrial Park Expense	120.00
Deposit	07/10/2020			OHRV	13,283.40
Deposit	07/13/2020			2020 Lease - Charter Communications	237.80
Check	07/15/2020	6507	Tioga County Treasurer	2nd QTR 2020 postage DSS	-57.00
Check	07/15/2020	6508	Factual Data	Inv 1533807 Customer No 837909996	-18.05
Check	07/15/2020	6509	Tioga County	IT Inv 3292 Verizon Wireless	-40.01
Check	07/16/2020	6510	Tioga County ED&P	loan programs ad - Morning Times inv 616895 - split cost w ED&P	-237.50
Check	07/22/2020	6511	Christine E Curtis	Pay Period: 7/5/2020-7/18/2020	-1,311.44
Check	07/22/2020	6512	Franklin Templeton	July 2020 Simple IRA - C. Curtis	-207.68
Check	07/22/2020	6513	Excellus Health Plan	Aug 2020 Inv 25534727	-461.95
Deposit	07/23/2020			Reimburse marketing expense ck#6510	237.50
Check	07/30/2020	6514	Jan Nolis, CPA	Prof Svcs	-180.00
Check	07/30/2020	6515	Christine Curtis	July 2020 HSA	-150.00
Check	07/31/2020	X	EFTPS 941 Tax Payment	July 2020 Federal Tax Deposit	-781.96
Check	07/31/2020	X	NYS Division of the Treasury	July 2020 State Tax Deposit	-135.72
Check	07/31/2020	6516	Cathy Haskell	July 2020 Invoice # 140 Administrative Assistance	-775.00
Total TSB- checking					5,510.95
Total Unrestricted Cash Accounts					5,510.95
TOTAL					12,875.84

**AMENDMENT AND ASSIGNMENT OF
PURCHASE AND SALE AGREEMENT**

THIS AMENDMENT AND ASSIGNMENT OF PURCHASE AND SALE AGREEMENT (this "Amendment") is entered into as of July 30, 2020 (the "Effective Date") and is made by and between TIOGA COUNTY INDUSTRIAL DEVELOPMENT AGENCY, a public benefit corporation having an address at 56 Main Street, Owego, NY 13827 ("Seller") and HOME LEASING, LLC, a New York limited liability company with an office at 700 Clinton Square, Rochester, New York 14604 ("Assignor") and OWEGO GARDENS ASSOCIATES II LLC, a New York limited liability company with an office at 700 Clinton Square, Rochester, New York 14604 ("Assignee").

Whereas, Seller and Assignor entered into a Purchase and Sale Agreement dated June, 2019 (the "Purchase Agreement") for approximately 10.59 acres of real property located on the south side of Route 434 in the Village and Town of Owego (this municipality is herein referred to as "Town"), County of Tioga and State of New York (the "Premises"); and

Whereas, pursuant to the terms of the Purchase Agreement, the Assignor intends to assign its interests in the Purchase Agreement to Assignee, which Assignee is an affiliate of Assignor and has been formed by Assignor to hold the equitable and beneficial title to the Premises, and such assignment does not relieve Assignor of any obligation created by the Purchase Agreement; and

Whereas, Assignee accepts such assignment of Assignor's interests in the Purchase Agreement; and

Whereas, pursuant to Paragraph 10 of the Purchase Agreement, the Assignor and Assignee desire to extend the Closing Date for an additional six (6) month period; and

Now, therefore, the parties, in consideration of the mutual covenants contained herein, and intending to be legally bound hereby, agree as follows:

1. All capitalized terms not defined herein shall have the meaning given them in the Purchase Agreement.
2. Assignor hereby assigns, and Assignee hereby accepts, the assignment of Assignor's interests in and to the Purchase Agreement, and Assignor shall remain obligated under the terms of the Purchase Agreement.
3. In consideration of the Extension Deposit of \$3,800 paid by Assignor or Assignee to the Escrow Agent, the Closing Date is hereby extended through January 31, 2021.
4. This Amendment and any amendments, waivers, consents or supplements hereto may be executed in counterparts (and by different parties hereto in different counterparts), each of which shall constitute an original, but all taken together shall constitute a single contract. Delivery of an executed counterpart of a signature page to this Amendment by facsimile or in electronic (i.e., "pdf" or "tif") format shall be effective as delivery of a manually executed counterpart of this Amendment. The Purchase Agreement as amended by this Amendment constitutes the entire contract among the parties with respect to the subject matter hereof and supersede all previous agreements and understandings, oral or written, with respect thereto.
5. Neither party shall have any liability and shall be excused from non-performance with respect to any of its obligations set forth herein due to force majeure. Force majeure shall be considered any circumstance beyond the control of the party claiming force majeure, the effects of which cannot be avoided, such as strikes, lack of raw materials, transportation, labor, pandemics, acts of God, etc. When the force majeure has resolved, the parties shall proceed to consummate the transaction with all time limits extended one day for each day force majeure was in effect.
6. All other terms and conditions are hereby ratified and confirmed.


[Remainder of page intentionally left blank. Signature page to follow.]

IN WITNESS WHEREOF, the parties have executed this Amendment as of the day and date first above written.

ASSIGNOR:

Dated July 28, 2020

Home Leasing, LLC

By: 
Name: Bret Garwood
Title: CEO

Dated July 28, 2020

ASSIGNEE:

OWEGO GARDENS ASSOCIATES II LLC

By: Owego Gardens II Associates MM LLC, its managing member

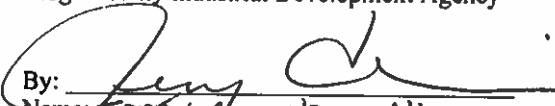
By: Home Leasing, LLC, its sole member

By: 
Name: Megan Houppert
Title: Development Manager & Owners Representative

SELLER:

Dated July 30, 2020

Tioga County Industrial Development Agency

By: 
Name: Jenny Decherelli
Title: Chair

**Early Notice and Public Review of a Proposed
Activity in a Protected Wetland**

**Owego Gardens II
140 Belva Lockwood Lane
Town and Village of Owego, Tioga County, NY
July 24, 2020**

To: All Interested Agencies, Groups, and Individuals

This is to give notice that the New York State Homes and Community Renewal (HCR) intends to use federal Project-Based Vouchers from the U.S. Department of Housing and Urban Development (HUD) to provide funding for Home Leasing, Inc. to construct Owego Gardens II (hereinafter, the Proposed Activity). HCR is conducting an evaluation as required by Executive Order 11990 in accordance with U.S. Department of Housing and Urban Development (HUD) regulations (24 CFR Part 55).

There are three primary purposes for this notice. First, to provide the public an opportunity to express their concerns and share information about the Proposed Activity. Second, adequate public notice is an important public education tool. The dissemination of information about floodplains and wetlands facilitates and enhances governmental efforts to reduce the risks associated with the occupancy and modification of these special areas. Third, as a matter of fairness, when the government determines it will participate in actions taking place in floodplains or wetlands, it must inform those who may be put at greater or continued risk.

The Proposed Activity entails new construction of a 3-story apartment building containing 62 units, seven clusters of four 2-story townhomes containing 28 units, and one cluster of three 1-story townhomes containing 3 units for mixed-income families, totaling 93 residential units, on a 10-acre site at 130A Southside Drive (to become 140 Belva Lockwood Lane) in the Village and Town of Owego, Tioga County.

The Proposed Activity includes discharge of fill material into waters of the U.S., specifically wetlands, as associated with the new construction of a mixed-income housing development. The wetland areas proposed to be impacted are designated as Wetland TIDA-1 and TIDA-9 shown on the "Figure 1: Wetland And Stream Impacts of Tioga County IDA Site" prepared by Fagan Engineers & Land Surveying, PC, and dated March 4, 2020. The wetlands impacts have been minimized to the maximum extent practicable, and limited to only unavoidable permanent impacts to 0.31 acres of Wetland TIDA-1, temporary impacts to 0.08 acres of Wetland TIDA-1, and 0.02 acres of permanent impact to Wetland TIDA-9. The Proposed Activity also includes filling of approximately 388 linear feet of intermittent stream channel and construction of approximately 509 linear feet of new channel, installation of two 12.5-foot wide by 3-foot tall culverts for stream crossings (one is 36-feet long and the other is 25-feet long), installation of a 49-foot long by 15-inch diameter equalizer culvert associated with the residential access road in Wetland 1 with approximately 121 square feet of riprap at the inlet and outlet (243 square feet).

U.S. Army Corps of Engineers issued a Nationwide Permit #29 on May 11, 2020 authorizing the above activities with the condition that the project secure a Water Quality Certificate from the New York State Department of Environmental Conservation. A request for Article 15, Title 5, “401 Water Quality Certification” is in progress, as the applicant is coordinating with the NYSDEC Division of Environmental Permits. Additional conditions of the Nationwide Permit include purchase of 0.5 acres of credits from the Wetland Trust In-Lieu Fee Mitigation Program; and that avoided water resources, riparian areas and buffers will be protected by construction fencing prior to site disturbance, and remain thus protected throughout the course of construction.

This notice is required by Section 2(b) of Executive Order 11990 for the Protection of Wetlands, and is implemented by HUD Regulations found at 24 CFR 55.20(b) for the HUD action that is within and/or affects a wetland area. HCR is reviewing the action for its effects on wetlands, for alternatives to development in a wetland area, and for consistency with federal, state and local policies and regulations on development in wetlands.

HCR invites all interested persons to participate in the decision whether to assist with federal funds this proposed development. In addition to this publication, this notice with a request for comment has been sent to the regional office of the ACOE and the regional office of the NYSDEC. The dissemination of information about wetlands can facilitate and enhance Federal efforts to reduce the risks associated with the occupancy and modification of these special areas.

Additional information may be obtained by contacting Heather Spitzberg, HCR Environmental Analysis Unit at (518) 486-3379 or Heather.Spitzberg@nyshcr.org. Due to restrictions related to COVID-19, documents can be reviewed by contacting David Kubek, HCR Environmental Analysis Unit, at (518) 486-1763 or David.Kubek@nyshcr.org. Written comments must be received by HCR at the following address on or before **August 10, 2020**: Environmental Analysis Unit, NYSHCR, Hampton Plaza, 38-40 State Street, Albany, New York 12207. Comments may also be submitted via email at Heather.Spitzberg@nyshcr.org on or before **August 10, 2020**.

July 24, 2020



ECONOMIC DEVELOPMENT & PLANNING | INDUSTRIAL DEVELOPMENT AGENCY | LOCAL DEVELOPMENT CORPORATION

7-29-2020

Tioga County Industrial Development Agency
56 Main Street
Owego, NY 13827
(607) 687-8259

New York State Homes and Community Renewal (HCR)
HCR Environmental Analysis Unit
(518) 486-3379
Heather.Spitzberg@nyshcr.org

Re: Owego Gardens II – 140 Belva Lockwood Lane
Town & Village of Owego, Tioga County, NY

Thank you for the opportunity to provide comment on the Owego Gardens II project as identified in the *Early Notice and Public Review of a Proposed Activity in a Protected Wetland*. The Tioga County Industrial Development Agency is in support of this project.

Sincerely,

A handwritten signature in black ink that reads "Christine E Curtis".

Christine E Curtis
Executive Administrator
Tioga County Industrial Development Agency

According to the Survey, the house substantially encroaches on property owned by a Railroad.

