



**Tioga County Industrial Development Agency
March 7, 2018 • 4:30pm •
Ronald E. Dougherty County Office Building
56 Main Street, Owego, NY 13827**

Minutes

1. Call to Order and Introductions

The meeting was called to order by Chairperson R. Kelsey at 4:30 p.m.

2. Attendance

A. IDA Board Members

1. Roll Call: R. Kelsey, A. Gowan, K. Dougherty, T. Monell, K. Gillette (*arrived @ 4:32 p.m.*), J. Ceccherelli, M. Sauerbrey

- a. Absent: T. Monell
- b. Excused:

2. Guests:

- a. B. Myers, C. Haskell, J. Meagher, L. Tinney, M. Freeze, J. Platsky

3. Privilege of the Floor – None

4. Project Updates – B. Myers

A. Crown Cork & Seal USA, Inc.

- 1. Update:
- 2. ESD – Nichols – B. Myers reported ESD updated the Grant Disbursement Agreement (GDA) to reflect actual grant amount of \$1,696,136.

B. Tioga Downs Racetrack, LLC Phase 4

- 1. Update – B. Myers reported Tioga Downs is hosting a job fair to recruit for various positions at the golf course, which is scheduled to open on 4/2/18.

C. Gateway Project

- 1. Update – B. Myers reported this project is progressing with work currently being done on the 3rd floor of the building.

D. Project Freehold (Infill)

- 1. Update – B. Myers reported NYS DEC has deemed the creek material does not qualify. B. Myers reported two sites have been identified and in the process of checking with J. Bellis on their eligibility. B. Myers reported a conference call with NYS DEC is expected to occur soon.

E. Upstate Shredding

- 1. Update – B. Myers reported the project is complete and a site visit was done on 2/16/18. ESD is working on putting the company's grant on the agenda for April. Waiting on information from the company.

F. Owego Gardens

- 1. Update
 - a. Belva Lockwood Lane – Question raised as to whether the IDA has an obligation to give clear title. B. Myers reported Home Leasing has an easement. Question raised regarding financing.



G. Owego Gardens 2

1. Update – The IDA received a letter of support request for NYS Homes & Community Renewal (NYS HCR) grant funding application. B. Myers reported PILOT application has been sent and is anticipated to be received by end of March. B. Myers reported water remains an issue and the tank seems to be the most viable option. B. Myers reported multiple meters may be needed.

Motion to approve letter of support request for Owego Gardens 2 grant funding application through NYS HCR. (K. Dougherty, M. Sauerbrey)

Aye – 6 Abstain – 0
No – 0 Carried

5. Old Business – B. Myers

A. Public Authority Accountability Act

1. Audit Committee Report (R. Kelsey, K. Dougherty, A. Gowan)

- a. 2017 Audit –Piaker & Lyons presentation was held on 3/6/18. Piaker & Lyons issued an unmodified opinion. Piaker & Lyons needs to update statements of cash flows due to error on their part. IDA approval authorized subject to changes. Motion to approve audit contingent on the revisions by Piaker and Lyons (K. Dougherty, A. Gowan)
Aye – 6 Abstain – 0
No – 0 Carried

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

- a. PARIS Reporting – B. Myers reported the PARIS report is due by 3/31/18.

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

- a. Signature Cards – B. Myers is awaiting a few signatures in order to complete.

B. Housing Study

1. Update – Due to last week’s inclement weather, the Stakeholder’s presentation was rescheduled for 3/7/18 at 3:00 p.m. in the Hubbard Auditorium. Invitations to town and village municipal officials will be sent for the next presentation, which will also be open to the public.



C. Lounsberry Property Purchases – B. Myers requested approval to proceed with the wetland delineation, archeological study, and survey for these properties.

1. Jame Enterprises –
2. Town of Nichols –

Motion to approve the wetland delineation, archeological study, and survey for the above-referenced Town of Nichols properties. (M. Sauerbrey K. Dougherty)

Aye – 6 Abstain – 0
No – 0 Carried

D. ED&P Update - L. Tinney provided the following update:

- Project Freehold – Meeting needs to be scheduled.
- Town of Nichols – Public Hearing needs to be scheduled for site plan review.
- REAP – ED&P providing assistance with restructuring their purpose/mission.
- Ag Economic Development Specialist – Process of interviewing candidates with one additional interview scheduled 3/8/18.
- Amish Farmers – ED&P assisted both families with STREDC low-interest loan for purchase of equipment and real estate.
- Gateway Project – Lease expected to be signed for Tourism Office to take occupancy.
- Village of Owego – ED&P assisting with NY Main Street application for portion of North Avenue.
- Restore NY – ED&P assisting the Village of Owego and Village of Waverly.
- Workforce Development Program – This new program is progressing.
- State Leads – Responded to three State leads, however, have received notification that ED&P did not receive one; waiting response for the other two.



- TEAM Tioga – Rolled out at the Tioga Co. Chamber Annual Dinner and will do so again at the upcoming Greater Valley Chamber of Commerce Dinner.
- Job Fair – ED&P participated in today’s job fair at the Owego Treadway with approximately 110 employers and 500 job seekers in attendance.

6. PILOT Updates – B. Myers

- A. 2018 Town, County, and Fire Bills** – All invoices have been paid.
- B. Spencer-Tioga Solar, LLC (f/k/a SUN 8) – B. Myers/J. Meagher** – Final numbers were not received until 2/13/18 and Cost Benefit Analysis was updated and all information was sent out on 2/14/18. B. Myers reported the Spencer-Van Etten School Board presentation was cancelled due to the weather, however, has been rescheduled for 3/8/18. Presentation made to the County Legislature on 2/22/18. Both the County Legislature and the Town of Spencer had questions and answers were provided. Public Hearing was held on 2/28/18 in the Town of Spencer. To date, B. Myers reported he has not received formal opposition or approval from the three taxing jurisdictions: Town of Spencer, Tioga County Legislature, Spencer-Van Etten School District. B. Myers will follow-up with all three entities.
- C. Best-Buy PILOT Payment** – B. Myers reported the Best Buy property assessment has decreased significantly. B. Myers will research the PILOT agreement and consult with the Town of Nichols assessor. B. Myers reported the PILOT payment is a lump sum of \$600,000 with no yearly increase. Of this amount, \$30,000 issued to the County.

7. New Business –

- A. Office Chair Purchase** – B. Myers reported the IDA office chair is in need of replacement and requested authorization for the \$258.43 purchase.
Motion to approve office chair purchase in the amount of \$258.43
(A. Gowan, M. Sauerbrey)
Aye – 6 Abstain – 0
No – 0 Carried

8. Approval of Minutes –

- A. February 12, 2018 Regular Meeting Minutes**
Motion to approve the February 12, 2018 regular meeting minutes, as written.
(A. Gowan, K. Dougherty)
Aye – 6 Abstain – 0
No – 0 Carried



B. February 28, 2018 Public Hearing Minutes

Motion to approve the February 28, 2018 public hearing minutes, as written.

(J. Ceccherelli, M. Sauerbrey)

Aye – 6 Abstain – 0

No – 0 Carried

9. **Financial Reports** – The financial reports reflect money in and out for the PILOT payments, otherwise no out of the ordinary activity reported.

A. Reports

- a.* **Balance Sheet**
- b.* **Profit & Loss**
- c.* **Transaction Detail**

Motion to acknowledge financial statements (A. Gowan, M. Sauerbrey)

Aye – 6 Abstain – 0

No – 0 Carried

10. **Reports**

A. Railroad

1. Committee Report (T. Monell, K. Gillette, M. Sauerbrey)

- a.* **Income to Date** – B. Myers reported the income from 2017 is approximately \$15,000 less than 2016.

B. Loan Program –

1. Committee Report (R. Kelsey, A. Gowan, K. Dougherty, D. Barton, S. Thomas)

- a.* **Wakeup Waffles** – B. Myers reported Wakeup Waffles is still interested in loan financing, however, is pursuing grant funding first. Also, company is exploring possible partnership opportunities.
- b.* **Liberty Research** – Met with Liberty Research in February 2018 to re-visit last year’s loan request for upgrades to on-site water system. Waiting for company to provide additional requested information.



- c. *What's In Store/Kathy's Cakes*** – The Loan Committee met earlier today to review the façade loan request for Katherine and James Hankey for roof replacement and new signage installation at 187 Main Street, Owego, NY (former Angel's Diner) for a total project cost of \$11,851.32. The façade loan request is for \$10,000 at 0% interest for five years for a monthly payment of \$166.67. The Loan Committee recommended approval for this façade loan with the following terms/conditions:

 - \$10,000 loan at 0% fixed interest for five (5) years (\$166.67/month)
 - Kathy and James Hankey shall provide unconditional personal guarantees.
 - Loan funds will be used to reimburse up to \$10,000 towards total project cost of \$11,851.32 for roof replacement/signage at 187 Main Street, Owego, NY.
 - Key person life Insurance on both Katherine and James Hankey for at least 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 2nd security interest on the real property located at 187 Main Street, Owego, NY. The private lender will be in 1st position for \$40,000 loan.
 - All applicable local, state and federal requirements to apply.

Motion to approve the Façade Loan request for Kathy and James (What's In Store/Kathy's Cakes) in the amount of \$10,000 with the terms/conditions noted, as recommended by the Loan Committee. (J. Ceccherelli, K. Dougherty)

Aye – 6 Abstain – 0
No – 0 Carried



d. Façade Paint Program – The Loan Committee recommended establishing a limit of \$1,000 per applicant and increasing the available funds from \$5,000 to \$7,500 using revolved commercial façade funds. M. Sauerbrey inquired about having more than one paint vendor and suggested finding a vendor in the Village of Waverly.

Motion to accept the Loan Committee’s recommendation of establishing a limit of \$1,000 per applicant and increasing the available funds from \$5,000 to \$7,500 through use of revolved commercial façade funds. (A. Gowan, M. Sauerbrey)

Aye – 6	Abstain – 0
No – 0	Carried

11. Executive Session –

Motion to move into Executive Session pursuant to Public Officers Law Section 105 at 5:30 p.m. pursuant to Public Officers Law Section 105 to discuss financial matters, individual personnel matters, and IDA properties. (M. Sauerbrey, J. Ceccherelli)

Aye – 6	Abstain – 0
No – 0	Carried

M. Sauerbrey exited meeting at 5:45 p.m.

Executive Session adjourned at 5:48 p.m.

12. Next Meeting – April 4, 2018 at 4:30 p.m. – Legislative Conference Room

13. Adjournment – A. Gowan motioned to adjourn the meeting at 5:48 p.m.