



**Tioga County Industrial Development Agency**  
**November 9, 2016 • 4:30 p.m. • Ronald E. Dougherty County Office Building**  
**56 Main Street, Owego, NY 13827**

**Minutes**

- 1. Call to Order and Introductions**
- 2. Attendance**
  - A. IDA Board Members  
Chairperson, R. Kelsey called the meeting to order at 4:31pm.
    1. Roll Call: R. Kelsey, A. Gowan, T. Monell K. Gillette K. Dougherty, J. Nolis, M. Sauerbrey  
*T. Monell will be late.*
      - a. Absent:
      - b. Excused: K. Dougherty
    2. Guests:  
B. Myers, L. Tinney, C. Haskell, J. Bellis, J. Meagher, M. Freeze – The Morning Times
- 3. Privilege of the Floor-**
  - A. None
- 4. Approval of Minutes –**
  - A. October 5, 2016 Regular Meeting Minutes**  
Motion to approve the regular meeting minutes (J. Nolis, A. Gowan)  
Aye – 5 Abstain – 0  
No – 0
  - B. November 2, 2016 Public Hearing Tioga Downs Phase IV Meeting Minutes**  
Motion to approve the public hearing meeting minutes (M. Sauerbrey, J. Nolis)  
Aye – 5 Abstain – 0  
No – 0
- 5. Motion to affirm email vote for:**
  - A. Wetland AJD USACE for E-Site 10/13
  - B. Prepare Offer Letter for Property 1.2A for \$120,000.00 10/24
  - C. Sales Tax Exemption Extension, Crown Cork and Seal 10/25
  - D. Loan Committee’s Decision via Phone Conference to allow Raymond Hadley, Corp. to cash in the cash value of life insurance, contingent on them paying \$20,000.00 towards

the loan once received. 10/28

E. OHRY Letter of Support for a NYS DOT Rail Grant Application 11/3

Motion to approve all email/phone conference votes (J. Nolis, A. Gowan)

Aye – 5 Abstain – 0

No – 0

## **6. Financial Report – B. Myers**

### **A. Reports**

1. Balance Sheet – B. Myers shared that after the WWTP and possible land acquisitions, the IDA can anticipate having around \$500,000.00 in the general checking account in the first quarter of 2017, so there will be no need to cash in further CDs at this time.
2. Profit & Loss – J. Nolis indicated an error in regards to the WWTP expense account. A. Dunham will be alerted of the issue, per B. Myers, and the issue will be resolved.
3. Transaction Detail – B. Myers mentioned all PILOT school/library bills have been sent and the agency fee for Tioga Downs Phases 2 and 3 have been received and recorded.

It was recommended by the full board that the financials need to be amended and the revisions will be reviewed at the December regular monthly meeting.

## **7. Project Updates**

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

1. Update – B. Myers shared that Crown is on schedule. They are hoping to have the plant fully operable by mid-January. They will offer tours to Board members who are interested. B. Myers will share the date and time when it is disclosed.

2. Costs Spreadsheet – B. Myers confirmed that there is approximately \$774,000.00 left to expense for the project. Myers also confirmed that we are close to reaching our MWBE goal for the grant associated with the project.

### **Larson Design Group – J. Bellis**

1. WWTP Update – J. Bellis shared that Vacri will be pulling offsite next week. Diekow will be onsite working on the electrical components. J. Bellis also gave the Town of Nichols the O&M manual. LDG will work with the Town of Nichols in the early phases of the plant operation for training, troubleshooting, etc. 11/21 Dry Inspection, 11/29-12/2 testing,

2. Water Update – LDG is working with SRBC and their time schedules. One well may need to be replaced, as well as a few other water components. J. Bellis will confirm in the near future. J. Bellis also offered to give a tour of the plant once construction has concluded.

B. Tioga Downs Racetrack, LLC Phase 2 & 3– B. Myers

1. Update – B. Myers shared that Tioga Downs received its first shipment of game tables earlier this week. The work on the hotel is also progressing.

C. Owego Gardens Project Update - B. Myers

1. Update – Construction is on schedule to be completed in December, with the apartments opening in January. L. Tinney and B. Myers visited the project this week. Both shared that the completed apartment is very nice.

D. FedEx Project – B. Myers

1. Update – L. Tinney shared that the project is still awaiting a water easement with the Army Training Center. Should be resolved by c.o.b. Friday, 11/11.

**8. PILOT Updates- B. Myers**

A. Tioga Downs Racetrack, LLC: Phase 4 Golf Course

1. Attended meetings of all taxing authorities
2. Received letters of support from all taxing authorities
3. November 2<sup>nd</sup> Public Hearing: Support Received from Community Members
4. SEQR, Part 2 and 3 completed.
5. LDG working on SHPO

The Tioga County IDA Board of Directors cannot issue a negative declaration or vote on the PILOT application until the archeological study is conducted. J. Bellis shared that Tioga Downs is aware of this issue and the archeological study will be conducted ASAP.

B. Gateway

1. Application for Financial Assistance Received

The Tioga County IDA Board of Directors received an application for financial assistance from Nelson Development Group, LLC on October 21, 2016. The \$2.6m project is planned to be located on 200-202 & 204 Front Street in the Village of Owego. The project will involve the construction of a new 13,600 sf building. 4,400 sf will be used for commercial incubator/retail space, 8,800 sf will be apartment housing (8, 2-bedroom apartments), and there will be an 800 sf roof top common area for tenants.

The IDA Board of Directors suggested that the proposed PILOT schedule be revised to start at a flat payment of \$1,500.00 with an increase of \$150.00 per year; until year 11 when the PILOT percentage will start resulting in 20% of the total assessed value to be paid, which will increase by 20% each year until year 15 (20% in year 11, 40% in year 12, 60% in year 13, 80% in year 14 and 100% due in year 15).

2. Public Hearing – Tentative date, if application accepted, November 23<sup>rd</sup> 5:00 p.m., in the Hubbard Auditorium, Owego, NY 13827.

3. Special Meeting November 30<sup>th</sup>

a. Discussion – M. Sauerbrey, K. Gillette, J. Nolis, and R. Kelsey confirmed attendance for the meeting.

Resolution accepting an application from Nelson Development Group, LLC for a sale/leaseback or a lease/leaseback transaction to facilitate the financing of the construction and equipping of 200-202 Front Street and 204 Front Street in the Village of Owego and Town of Owego, Tioga County, New York and authorizing the Agency to set and conduct a public hearing and conduct a special meeting with respect thereto. (M. Sauerbrey, K. Gillette)

Aye – 5 Abstain – 0

No – 0 Carried

*T. Monell arrived at 5:10pm.*

**9. New Business – B. Myers**

A. Southern Tier Network Easement Request – B. Myers shared that this easement will be used for the extension of dark fiber cable and will cross the IDA Railroad at milepost 290.94, Route 38/96 junction on Metro Rd. in the Town of Tioga.

1. OHRY approved the easement
2. J. Meagher reviewed and approved the easement.

Motion to accept and execute the easement (T. Monell, M. Sauerbrey)

Aye – 6 Abstain – 0

No – 0 Carried

**10. Old Business – B. Myers**

A. Public Authority Accountability Act

1. Audit Committee Report (R. Kelsey, K. Dougherty, J. Nolis)
  - a. PARIS Report Completed – B. Myers confirmed that the 2017-2020 budget was submitted.
  - b. Piaker and Lyons 2016 Proposal – The audit committee met prior to tonight’s regular meeting and suggests to the full Board that we accept their proposal for the 2016 audit.

Motion to accept and execute the proposal (T. Monell, A. Gowan)

Aye – 6 Abstain – 0

No – 0 Carried

2. Governance Committee Report (R. Kelsey, K. Dougherty, J. Nolis)
  - a. Meeting to discuss appointment of officers and policy review
    - i. Before 11/30 Special Meeting  
-Discussion

3. Finance Committee Report (R. Kelsey, A. Gowan, K. Gillette)
  - a. None

- B. Tioga Commons Study – Awaiting Final Version
- C. E-Site Wetland Delineation – Awaiting USACE to schedule visit and conduct study.
- D. United Water/Suez – Meeting 11/17, set up by Congressmen Reed’s Office, board members are encouraged to attend, if possible.

**11. Reports**

A. Railroads

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

- a. Income to Date – B. Myers - income for August was down slightly compared to last year, but we have made \$20,000.00 to date more than last year.

B. Loan Program – B. Myers

- a. LINC Report submitted, all site visits completed.
- b. Loan committee meeting will be necessary for December to review applications.

**12. Motion to move into Executive Session pursuant to Public Officers Law Section 105 to discuss acquisition of properties and the performance evaluation of a particular employee.**

(K. Gillette, M. Sauerbrey)

Aye – 6 Abstain – 0

No – 0

**The IDA Board of Directors went into Executive Session at 5:27 p.m.**

**The IDA Board of Directors came out of Executive Session at 6:02 p.m.**

Resolution to increase the Executive Administrator’s salary to \$50,000.00 as of 1/1/2017 (T. Monell, M. Sauerbrey)

Aye – 6 Abstain – 0

No – 0

Resolution to approve the purchase of the 1.2A property in Lounsberry, NY. (M. Sauerbrey, K. Gillette)

Aye – 6 Abstain – 0

No – 0

Motion to adjourn the meeting (J. Nolis)

Aye – 6 Abstain – 0

No – 0

**13. Next Meeting – Wednesday, November 30, 2016**

**14. Adjourned – 6:05pm**