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Tioga County Industrial Development Agency

October 4, 2017

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, T. Monell, K. Gillette, K. Dougherty, M. Sauerbrey, J. Ceccherelli

K. Gillette arrived @ 4:32 p.m.

- a. Absent:
- b. Excused: M. Sauerbrey, J. Ceccherelli

2. Guests:

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

J. Honor arrived @ 4:45 p.m.

3. Privilege of the Floor:

J. Bellis – Larson Design Group – J. Bellis discussed the need for a change order in the amount of \$1,500 for Project Freehold. J. Bellis spoke in support of the coordinated approach with Applied Technology, Village of Owego, and Owego Fire Department. L. Tinney provided a memo to Board members on how to proceed and options for such. L. Tinney reported Village of Owego Public Works Supervisor, Jeff Soules, indicated he is ok with taking from the creek if it is a no net gain. Survey is forthcoming. RFP for engineering costs to be discussed at November meeting.

Motion to approve \$1,500 change order for Project Freehold

(A. Gowan, K. Dougherty)

Aye – 5 Abstain – 0

No – 0 Carried

J. Honor – Ameresco Solar – Jack Honor, Project Development Manager, reported Ameresco is in the early stages of figuring out the project and is not in a position to request approval at this time. J. Honor provided an overview of the energy service company highlighting the following:

- Founded in 2000
- 1,000 employees and three offices located in NYS.
- Company focus is 50% on energy efficiency improvements with the remainder on renewable energy and other products.
- \$600-700 million in annual projects.

J. Honor reported Ameresco's goal is to sell electricity to NY Power Authority with a 20-year lease contract with the option to renew or restore back to its original use at the conclusion of the lease term. J. Honor reported the property is located in the Town of Owego with no known wetland.

J. Honor reported Ameresco applied for a 20-year PILOT in the amount of \$800,000 with an additional \$600,000 in special district taxes for a total of \$1.4 million.

J. Honor reported initial employment numbers will be approximately 160 temporary construction jobs with the majority being local labor followed by permanent employment of 7 full-time positions (2 FTE's) in the areas of landscaping, general maintenance, and electrical labor. J. Honor reported Ameresco is a little different than other solar companies as they are selling wholesale to NYPA as their customer and not offering discounts to individual residents. Question was raised in regards to cost per kilowatt. J. Honor reported cost per kilowatt is approximately 6% and selling wholesale for 3.5-4%. J. Honor reported Ameresco is not seeking any State or Federal grants/aid and the only subsidiary received is a 30% federal tax credit. In addition, J. Honor reported Ameresco is seeking a sales tax exemption. J. Honor reported Ameresco will continue to meet with local and State stakeholders and will come back to the IDA to do a formal presentation in the upcoming months. J. Honor reported the bids are anticipated to be announced by year-end and the goal is to secure a contract with NYPA.

J. Honor departed meeting at 5:15 p.m.

4. Project Updates

A. Crown Cork & Seal USA, Inc. --

1. Nichols WWTP/ESD – B. Myers reported Grant Disbursement Agreement (GDA) has been received and the project has been approved. B. Myers reported ESD will hold a public hearing on 10/12/17 at 1:00 p.m. in the Hubbard Auditorium followed by the PACB meeting on 10/13/17. Following these meetings, a formal executed offer is anticipated. B. Myers reported he has not been able to locate the sub-recipient agreement with the Town of Nichols, therefore, contacted Empire State Development (ESD).

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

1. Update – B. Myers reported this project is ongoing with the anticipated opening dates of November 2017 for the hotel and December 2017 for the convention center.

C. Tioga Downs Racetrack, LLC Phase IV – B. Myers

1. Update – B. Myers reported this project is progressing and the foundation work has been completed.

D. Gateway Project – B. Myers

1. Update – B. Myers reported the groundbreaking was held on 9/22/17 and was well attended. B. Myers reported the project is progressing with site preparation underway and concrete being poured.

E. Project Freehold

1. Update – B. Myers reported the topographic and boundary survey has been ordered and anticipates a 1-2-week turnaround. B. Myers reported Village of Owego is working on zoning changes.

F. Upstate Shredding

1. Update – B. Myers reported this project is progressing with the foundation work almost completed. The media separation plant building construction is expected to begin in the next 1-2 weeks.

G. Owego Gardens

1. Update – B. Myers reported the as built survey has been ordered for \$200.00.

a. Belva Lockwood Lane – B. Myers reported the Village of Owego Board voted in favor of taking ownership of this road. B. Myers reported a public hearing is scheduled for 10/16/17. B. Myers reported J. Meagher is working on deed.

H. Distributed Sun –

1. Update – B. Myers reported the tariffs passed and the project is anticipated to commence in Spring 2018.

5. **Old Business – B. Myers**

A. Public Authority Accountability Act

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

a. 3rd Quarter Review – B. Myers reported he will schedule the 3rd quarter review with Jan Nolis.

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

b. Nothing new to report

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

a. 2018-2022 Operating Budget – B. Myers reported the 2018-2022 operating budget was sent to the IDA Board on 9/14/17 for review/comments.

Motion to approve the 2018-2022 operating budget as presented.

(K. Gillette, A. Gowan)

Aye – 5 Abstain – 0

No – 0 Carried

b. Community Bank Electronic Collateral - B. Myers reported he received a memo from Community Bank regarding their request to update collateral on a daily basis.

Motion to approve Community Bank’s electronic collateral request for updating on a daily basis (R. Kelsey, K. Dougherty)

Aye – 5 Abstain – 0

No – 0 Carried

B. Housing Study

1. Update – B. Myers reported approximately 70% of the large employers participated in the employee surveys and this data has been provided to the consultants. The consultants will be meeting with the school districts, local municipalities, realtors, and developers.

C. E-Site -

1. Update – B. Myers reported the Army Corp of Engineers (ACOE) did a site visit on 9/27/17. B. Myers reported ACOE approved Fagan Engineers revised wetland map and indicated most likely there will be a 2:1 mitigation fee. B. Myers reported disturbance of $\frac{3}{4}$ – 1 acre is anticipated. B. Myers reported the pre-jurisdictional process will need to begin.

D. Lounsberry 19.8 Acres – Town of Nichols, NY

1. Update -

a. Due-Diligence – J. Meagher reported the due-diligence period is almost over.

i. Wetland Delineation Map – B. Myers reported Fagan Engineers has completed the wetland delineation map and recommended staying 20 feet away from the defined area.

E. Strategic Plan – B. Myers reported the draft is completed and will be reviewed with Chairperson Kelsey.

F. Railroad Leases – B. Myers provided a handout and photos regarding the railroad leases and identified the following:

- **Ward & VanScoy** – This lease expired in 2005. This parcel is 1900 sq. ft. and has a building on the premises used for warehousing. This parcel is located in Berkshire. The annual lease amount is \$281.65.
- **William Wunder** – This lease expired in 2002. This parcel has a small shed and vehicle on the premises. The annual lease amount is \$390.00.
- **Enterprise Products** – This lease expired. This 2.03-acre parcel is located in Harford and is used for a kerosene staging area. The annual lease amount is \$315.00. Due to the nature of the usage, B. Myers recommended renegotiating an increased annual lease. B. Myers will send expired lease to J. Meagher for review/recommendation. B. Myers will inquire with Steve May as to when the kerosene staging area was erected.

Board members inquired as to the benchmark that is being used for the annual leases. Board members requested B. Myers obtain tax map information for all parcels.

J. Bellis departed the meeting at 5:38 p.m.

G. ED&P Update - L. Tinney reported the County had an agreement with Tioga County Cornell Cooperative Extension for an Agriculture Specialist position. L. Tinney reported the County financially contributed \$25,000 towards the salary of this position for the purpose of implementing the Ag & Farmland Protection Plan. Due to the differing philosophy of Tioga County and CCE, L. Tinney reported the County recently decided to terminate this relationship and the Legislature agreed to keep the \$25,000 in the ED&P 2018 budget to hire a permanent, part-time County position. L. Tinney inquired as to whether the IDA Board has any interest in contributing and partnering with ED&P on this position. L. Tinney reported she initially approached the County with the request for a full-time position, however, they were not in favor of such request. L. Tinney reported the County's funding will provide for a part-time position working 17 hours per week for an annual salary of \$19,500 or hourly wage of \$21.35, as the remaining \$5,500 is estimated for employer fringe costs. L. Tinney reported she is unsure as to what kind of interest or competitiveness this position will bring. A. Gowan expressed concern regarding IDA responsibility of paying another employee. L. Tinney reported ED&P would not be able to advertise, recruit or hire the position until January 2018, therefore, there is time to refine the details of the position and job description. L. Tinney reported she anticipates an advisory oversight committee regarding this position, as other entities such as Soil & Water would benefit from the position. A. Gowan inquired as to whether Soil & Water is partnering and contributing towards the position in return of the benefit provided.

6. **PILOT Updates – B. Myers**

A. 2017-2018 School/Library Payments – B. Myers reported this process is ongoing.

B. Ameresco’s PILOT Application -

Motion to acknowledge Ameresco’s PILOT application and authorization to hold a public hearing (T. Monell, K. Dougherty)

Aye – 5 Abstain – 0
No – 0 Carried

7. **New Business – B. Myers**

A. iPad/Desktop Purchase – B. Myers reported the IDA office computer/laptop is aging out, therefore, obtained a quote of \$650.00 from the County’s IT Department for an iPad with keyboard. B. Myers reported he would also need to replace the desk top computer in the office. B. Myers reported this year’s budget has \$1,500 for said purchases. T. Monell reported it is important to get an iPad with network connectivity. R. Kelsey inquired as to whether B. Myers has an IDA issued cell phone and he does not. Question was raised as to whether it would be better to have a cell phone versus the iPad. B. Myers will research viable options for cell phone and iPad.

M. Freeze departed meeting @ 5:51 p.m.

B. Depot St. Property (Richford) – B. Myers reported he received an inquiry from Town of Richford Supervisor, Charles Davis, regarding whether the IDA would be interested in selling or renting a piece of property for the Richford post office project. B. Myers reported no offers have been discussed at this time. B. Myers reported he will contact Steve May to determine if he has a need for this property.

8. **Approval of Minutes –**

A. September 13, 2017 Regular Meeting Minutes

Motion to approve the September 13, 2017 Regular Board Meeting minutes (T. Monell, K. Gillette)

Aye – 5 Abstain – 0
No – 0 Carried

B. September 13, 2017 Finance Committee Meeting Minutes

Motion to approve the September 13, 2017 Loan Committee Meeting minutes (T. Monell, K. Gillette)

Aye – 5 Abstain – 0
No – 0 Carried

9. **Financial Reports –**

A. Reports – B. Myers reported the financial reports reflect the PILOT payments, WTC pass through funds, and the payment to LDG for Project Freehold.

1. **Balance Sheet –**

2. **Profit & Loss –**

3. **Transaction Detail –**

4. **Quarterly Operating Report -**

Motion to acknowledge financial statements (A. Gowan, K. Dougherty)

Aye – 5 Abstain – 0
No – 0 Carried

10. Reports

A. Railroads – B. Myers

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

- a. Income to Date** – B. Myers reported income is down from this time last year.
- b. NYS DOT Bridge Inspection – Waiver Forthcoming** – B. Myers reported the IDA is still not in receipt of the waiver for cleaning and removing of sediment in the creek.
- c. Propane Rail Tanks** – As a follow-up to last month’s inquiry, B. Myers confirmed with Steve May the propane rail tanks sitting on the tracks are empty.

B. Loan Program – B. Myers

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

- a. Elston Update** – B. Myers reported a ribbon cutting is scheduled for 10/14/17.
- b. Ford Update** – B. Myers reported the closing is scheduled for 10/6/17.
- c. Committee Meeting** – B. Myers reported a Loan Committee meeting will be scheduled for November.

11. Executive Session –

Motion to move into Executive Session at 6:04 p.m. pursuant to Public Officers Law Section 105 to discuss financial, property acquisitions, and individual personnel matters. (K. Dougherty, T. Monell)

Aye – 5 Abstain – 0
No – 0 Carried

Motion to exit Executive Session at 6:38 p.m. (T. Monell, K. Dougherty)

Aye – 5 Abstain – 0
No – 0 Carried

Motion to authorize purchase of Hess Property and conclude the due-diligence. (T. Monell, A. Gowan)

Aye – 5 Abstain – 0
No – 0 Carried

Motion to authorize IDA Chairperson to purchase the 10-acre Town of Nichols parcel at \$25,000 per acre and share any profits net of expenses with the Town of Nichols. (T. Monell, K. Gillette)

Aye – 5 Abstain – 0
No – 0 Carried

13. Next Meeting – Wednesday, November 1, 2017

14. Adjournment –

Motion to adjourn at 6:40 p.m. (T. Monell, K. Dougherty)

Aye – 5 Abstain – 0
No – 0 Carried