

**Tioga County Industrial Development Agency**  
**February 5, 2020 • 4:30 p.m. • Ronald E. Dougherty County Office Building**  
**56 Main Street, Owego, NY 13827**

## Regular Meeting Minutes

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, A. Gowan, M. Sauerbrey, T. Monell, J. Ward

B. Absent: None

C. Excused: K. Gillette, E. Knolles

D. Guests: C. Curtis, L. Tinney, J. Meagher, C. Haskell, M. Freeze,

M. Kiechle (*departed @ 4:47 p.m.*), B. Woods (*departed @ 4:52 p.m.*)

III. **Privilege of the Floor – M. Kiechle and B. Woods**

**Newark Valley Depot:** Marcia Kiechle reported she typically provides the IDA Board with a year-end report of the Depot activities, however, tonight wanted to detail the history and survival of an old building known as the Newark Valley Depot. Ms. Kiechle reported this is an IDA-owned building. In 1984, the IDA Board gave permission for Newark Valley resident, Ray Shaver, to restore the Depot after being closed from 1969-1984. In 2004, the Depot tourism train stopped running and Depot Friday Night Series began with four programs annually and approximately ten people in attendance. In 2019, the Depot's entertainment budget was \$6,800 offering entertainment free of charge to approximately 1500 people with fourteen programs annually. In 2020, the Newark Valley Depot will be celebrating and hosting their sesquicentennial (150 year) anniversary event. Ms. Kiechle thanked the IDA Board for their years of support and noted none of this would have been possible without their assistance. Ms. Kiechle distributed copies of the 2019 Final Report and the 2020 Depot Friday Nights brochure.

Mr. Woods addressed the IDA Board regarding the need to plan for future funding for the Depot's maintenance, as this is an IDA-owned building maintained by the Newark Valley Historical Society. Mr. Woods suggested developing a structure such as a Memorandum of Understanding between the two entities to determine party responsibility in regards to maintenance, scope of work, work requiring IDA review,

etc. J. Ceccherelli suggested scheduling a planning meeting to start the discussion process. A. Gowan inquired as to whether there are any grant opportunities through LDC (Tourism). L. Tinney reported there is no local funding specific to Tourism, as the Love NY Funding is specifically for marketing. L. Tinney reported there may be an opportunity through the Consolidated Funding Application (CFA) process, but a specific project would need to be identified.

**Blodgett Road:** Mr. Woods reported the water/migration issue continues to be a problem on Blodgett Road and eventually will result in a NYSEG and railroad issue. Mr. Woods reported he is meeting with the NYS DEC next week on another issue and plans to address this issue, as well. In 2012, Tioga County Soil & Water planted willow trees as a means of diverting the water, however, these have since been washed away. L. Tinney reported Mike Jura, Tioga County Soil & Water, has detailed a synopsis of the history of what has occurred and will continue to work with C. Curtis to explore possible options for remediation.

On a separate note, L. Tinney thanked Mr. Woods for his attendance at the TEAM Tioga 30<sup>th</sup> Anniversary event last week and his participation on the TEAM Tioga video.

#### IV. Approval of Minutes

A. January 8, 2020 Annual Board Meeting Minutes

**Motion to approve January 8, 2020 Annual Board meeting minutes, as written.**

**(M. Sauerbrey, A. Gowan)**

**Aye – 5**

**Abstain – 0**

**No – 0**

**Carried**

B. January 8, 2020 Regular Board Meeting Minutes

**Motion to approve January 8, 2020 Regular Board meeting minutes, as written.**

**(M. Sauerbrey, A. Gowan)**

**Aye – 5**

**Abstain – 0**

**No – 0**

**Carried**

#### V. Financials – The following financial reports were reviewed.

A. Balance Sheet

B. Profit & Loss –

C. Transaction Detail –

D. Loan Administration Fees – C. Curtis reported the IRP Loan Administrative Fees have been deposited in the checking account as income. This process needs to occur quarterly. The deposit is 1% of the principal paid throughout the year.

**Motion to acknowledge financials, as presented. (A. Gowan, T. Monell)**

**Aye – 5**

**Abstain – 0**

**No – 0**

**Carried**

**VI. ED&P Update: L. Tinney**

- A. **2020 Census Complete Count Committee** – L. Tinney reported Planning Director Jardine and the Census Complete Count Committee continue to be busy bringing awareness and stressing the importance of everyone being counted in the upcoming Census. L. Tinney reported Ms. Jardine will provide a brief presentation at the March 4, 2020 IDA meeting.
- B. **DRI** – L. Tinney reported C. Curtis, ED&P Deputy Director Woodburn, and Ag Development Specialist Griffiths have met with 15 individual project owners and the process is moving forward. L. Tinney requested IDA Board consideration for doing a video documentary from start-to-finish of the most visible projects. L. Tinney will start the process of obtaining quotes for IDA Board consideration at the March meeting. L. Tinney reported the administration fee for the DRI project is \$80,000. M. Sauerbrey inquired as to whether all project owners are committed. L. Tinney reported fallout is expected, as some projects will not go forward as planned or will require a modification from the original proposals. J. Ceccherelli inquired as to whether the potential fallout is due to flood insurance. L. Tinney reported this did not appear to be a factor at this time. J. Ward inquired as to whether the State allowed flexibility to reduce the original scope of work and L. Tinney reported there has been no expressed concern at this time. L. Tinney reported any funding not used due to change of work scope remains with the DRI for other project consideration. Construction is anticipated for May/June 2020.
- C. **Land Bank** – L. Tinney reported the Land Bank received offers on five properties for either outright purchases or rehabilitation projects.
- D. **Workforce Development** – L. Tinney reported the consultant is in the process of conducting in-person interviews.
- E. **Agriculture Update** – L. Tinney reported M. Griffiths is in the process of doing the 8-year agricultural district review for two districts and is in the process of completing the annual inclusion process.
- F. **Deliver Fresh/Engelbert Farm Meeting** – L. Tinney reported meeting scheduled for February 11, 2020 at the Engelbert facility in the Village of Nichols to discuss the virtual food hub.
- G. **Southern Tier Network Broadband** – Ms. Tinney reported a resolution went through two Legislative committees yesterday and presented for Legislature consideration at the February 11, 2020 Legislative meeting. The resolution authorizes the Chair of the Legislature to sign a MOU between the County and the Tioga County IDA. Ms. Tinney reported J. Meagher reviewed and approved the MOU. L. Tinney reported there is a possibility for 50% of the \$73,000 committed funds to be reimbursed through Empire State Development.
- Motion to authorize C. Curtis to execute MOU on behalf of the Tioga County IDA between the IDA and Tioga County (A. Gowan, J. Ceccherelli)**
- |                |                    |
|----------------|--------------------|
| <b>Aye – 5</b> | <b>Abstain – 0</b> |
| <b>No – 0</b>  | <b>Carried</b>     |

- H. **RBEG Equipment Lease Program** – L. Tinney reported she would like to establish an equipment lease-to-own program for small businesses. L. Tinney reported this

would be with use of RBEG USDA funds and similar to REAP's program. This would be a five-year lease-to-own program with a \$1.00 buyout at lease-end.

- I. **Taylor Garbage** – L. Tinney reported ED&P is assisting Taylor Garbage through Empire State Development and other agencies with the re-building of their facility due to fire on January 3, 2020.
- J. **TEAM Tioga Breakfast Event Budget** – L. Tinney acknowledged and thanked J. Meagher as one of the event sponsors and noted through the generosity of all sponsor support and ED&P's budget, there was no IDA funding required.
- K. **Owego Gardens** – L. Tinney reported final paperwork expected today from Fagan Engineers to Suez Water. L. Tinney reported Fagan Engineers is ready to pursue the bid process in the upcoming week. L. Tinney reported this is a two-part bid; water tank and water extension. M. Sauerbrey reported if there is an opportunity for consideration, the neighbors in the development are interested in establishing an addition egress and connecting the two neighborhoods for safety reasons.

**VII. Project Updates: C. Curtis**

- A. V&S – C. Curtis reported operations are underway as of January 27, 2020. C. Curtis anticipates receiving an invoice for \$6,400 for the water/sewer extension this spring. C. Curtis reported invoice totals from Fagan Engineers and Procon is \$263,124 of the \$300,000 grant. Ms. Curtis anticipates remaining grant funds will be needed and payable to Fagan Engineers for their services, however, will not exceed the grant amount.
- B. DRI –
  - 1. Homes and Community Renewal (HCR) Agreement – C. Curtis reported the sub-recipient agreement will be available for Board review/approval in April 2020 and then reimbursement can occur with Empire State Development. Ms. Tinney reported this would be a one-time reimbursement request.
- C. Owego Gardens II –C. Curtis requested authorization to submit RFP through Fagan Engineers, upon IDA Board review/approval and final design from Suez Water.  
**Motion to authorize submission of the RFP for the Owego Gardens water tank, upon IDA Board review/approval and final design from Suez Water.**  
**(M. Sauerbrey, A. Gowan)**

<b>Aye – 5</b>	<b>Abstain – 0</b>
<b>No – 0</b>	<b>Carried</b>

**VIII. New Business: C. Curtis**

- A. 231 Main Case #10206022 – J. Meagher recommended tabling discussion for Executive Session due to potential litigation.
- B. Lopke/Berry Property – C. Curtis reported the archaeological study is completed and there were no findings, therefore, phase 2 is not required.
- C. Blodgett Road, Newark Valley – C. Curtis will work with Mike Jura, Tioga County Soil & Water, to explore options and costs for remediation.
- D. Social Media TEAM Tioga Videos – L. Tinney reported TEAM Tioga purchased 12 videos for monthly social media streaming/posting.

E. Department of Labor – Correspondence received from NYS DOL acknowledging 1/10 of 1% is payable for any public work jobs performed. J. Meagher reported this has been in existence since 1995 and increased in 2005. The letter indicates signature is required within 30 days of letter.

**ACTION: A. Gowan will sign the documentation acknowledging this law.**

F. Ralph Kelsey Thank You Letter – The Board acknowledged Mr. Kelsey’s thank you letter.

#### **IX. Old Business: C. Curtis**

##### **A. Public Authority Accountability Act (PAAA)**

1. Audit Committee Report: A. Gowan, E. Knolles, J. Ward
  - a. Inero & Co. – Year-end audit is in progress. Auditors indicated a rough draft should be available by month-end for IDA Board review.
2. Governance Committee: J. Ceccherelli, A. Gowan, E. Knolles
  - a. IEDB BEDC Certification of Completion – C. Curtis completed the first course indicating there are three other required courses and two electives for full certification. Ms. Curtis reported she thought the course was very inspiring with good speakers and subject matter. C. Curtis reported she is interested in pursuing the other required courses.
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. Nothing to report.
5. Harford Beaver Update – Ms. Curtis reported Cortland County Soil & Water visited the site and will send a detailed report. Determination has been made that there is no liability or legal responsibility on behalf of the IDA, therefore, no reimbursement will be payable to the homeowner. J. Meagher will draft and send an official letter to the homeowner regarding this determination.

##### **X. PILOT Updates: C. Curtis**

###### **A. Sales Tax Exemptions Update: C. Curtis**

1. V&S Sales Tax Exemption Report – C. Curtis reported V&S is submitting monthly sales tax reports and, to date, the company has used \$575,923.03 of their allowable \$671,200 sales tax exemption. Ms. Curtis reported there is a possibility the company may request an additional sales tax extension.

B. CNYOG – C. Curtis reported the year-end review revealed CNYOG was overbilled \$274,971.50 due to the inclusion of fire tax that erroneously occurred. Ms. Curtis reported reimbursement has been made. .

C. Town & County PILOT Invoices – C. Curtis reported the PILOT invoices were disbursed in January 2020.

D. Annual Lease Invoices – C. Curtis reported all annual lease invoices were distributed.

XI. Executive Session

**Motion to move into Executive Session pursuant to Public Officers Law Section 105 at 5:36 p.m. to discuss financial matters, property acquisition, and litigation matters. (T. Monell, M. Sauerbrey)**

**Aye – 5**

**Abstain – 0**

**No – 0**

**Carried**

M.Sauerbrey motioned to adjourn Executive Session at 6:04 p.m.

XII. Adjournment – Meeting adjourned at 6:04 p.m

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

Respectfully submitted,

*Cathy Haskell*

IDA Executive Assistant