

Tioga County Industrial Development Agency
July 1, 2020 • 4:30 p.m. • Ronald E. Dougherty County Office Building
56 Main Street, Owego, NY 13827

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