

Tioga County Industrial Development Agency
July 10, 2019 • 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** – Chairman R. Kelsey called the meeting to order at 4:30 p.m.

II. **Attendance**

IDA Board Members:

A. Roll Call: R. Kelsey, A. Gowan, J. Ceccherelli, K. Gillette, M. Sauerbrey, E. Knolles, T. Monell

B. Absent: None

C. Excused: None

D. Guests: C. Curtis, J. Meagher, W. Walsh (*departed @ 4:55 p.m.*),
M. Jura (*departed @ 4:55 p.m.*), C. Haskell (*arrived @ 5:00 p.m.*),
M. Freeze (*departed @ 5:37 p.m.*), T. Pipher (*departed @ 5:45 p.m.*)

III. **Privilege of the Floor** – W. Walsh and M. Jura, Tioga County Soil & Water Conservation District, presented a summary of the Huntington Creek Background Report. TCIDA is considered a stakeholder by ownership of impacted property.

IV. **Approval of Minutes**

A. June 5, 2019 Regular Meeting Minutes

Motion to approve June 5, 2019 regular meeting minutes, as written.

(K. Gillette, J. Ceccherelli)

Aye – 7

No – 0

Abstain – 0

Carried

V. **Financials** –

A. Balance Sheet

B. Profit & Loss

C. Transaction Detail; Cash Accounts Only

D. 2nd Quarter Operating Income & Expense

Motion to acknowledge financials, as presented. (A. Gowan, K. Gillette)

Aye – 7

No – 0

Abstain – 0

Carried

VI. Project Updates:

- A. NYS Senate Investigations and Government Operations Committee Report & Email Response – C. Curtis reported she sought permission to submit the requested information directly to investigations@nysenate.gov. S. DiBernardo granted permission via voicemail on 6/27/19 at 1:03 p.m. from telephone number (518) 455-2800. C. Curtis reported upon submission, she received an out of office email response on 6/27/19 @ 10:03 p.m. stating, “I am out of the office from Sunday, 5/12/2019, until Tuesday, 5/3/2022”.
- B. V&S Water & Sewer Extension – C. Curtis reported the TCIDA Owego Utilities Capital Project #132,906 Financial Assistance Application was submitted on 6/17/19. C. Curtis reported she would frequently check on the progress to move this forward.
- C. 96 Smith Creek Road Demolition – C. Curtis reported the demolition is completed and provided post-demolition photos of the property. C. Curtis reported receipts were reviewed, verified, and approved.
- D. Campville Fire Department Purchase Offer – C. Curtis reported the Campville Fire Department declined Tioga County IDA’s purchase offer.

VII. New Business: C. Curtis

- A. DEC Permit Emergency Beaver and Dam Removal – C. Curtis reported DEC issued the necessary permit and the dams and beavers were removed. C. Curtis reported the impacted property is no longer experiencing issues.
- B. Southern Tier Fourth Wave Funding Request – C. Curtis reported L. Tinney drafted a memo to the Tioga County IDA Board requesting financial support for the Southern Tier Fourth Wave proposal related to battery technology and energy storage. C. Curtis reported this proposal is for Phase I funding. Current contributors include Three Rivers Development - \$18,000; The Agency (Broome County IDA) - \$7,000; and Tioga County ED&P - \$5,000 toward the initial data gathering and assessment process. As addressed in the memo, L. Tinney is requesting the IDA consider partnering with Tioga County ED&P for a 50/50 match toward the hire of the consultant. Tioga County ED&P would contribute an additional \$2,500 if Tioga County IDA will consider the additional \$2,500 match. Board members expressed interest in this proposal citing future business and employment opportunities for Tioga County.

Motion to approve the 50/50 funding match request with Tioga County ED&P for an additional \$2,500 towards the hire of a consultant. (K. Gillette, M. Sauerbrey)

Aye – 7	Abstain – 0
No – 0	Carried

- C. Authorities Budget Office (ABO) Policy Guidelines – C. Curtis reported the ABO issued new policy guidelines on 6/3/19. C. Curtis will review the guidelines to determine what, if any, required information is missing from the IDA website and then post accordingly. C. Curtis reported the new guidelines require posting of all project cost benefit analysis, public hearing transcripts, and sales tax exemptions documents on the IDA website to ensure compliancy.

D. Easement Request & Proposed Contract for Lodestar Energy – C. Curtis provided a map for IDA Board review regarding the easement request for NYSEG pole locations, as well as a proposed annual lease contract. Question raised regarding contract language for ability to move poles and whether the IDA wants to grant them the ability to do so. Question raised regarding the difference in the tax map numbers referenced in the contract. J. Meagher will review contract language and verify tax map numbers for accuracy.

**Motion to approve the easement request and proposed annual lease contract with Lodestar Energy for \$1,000 subject to IDA Attorney review and approval.
(K. Gillette, T. Monell)**

Aye – 7

Abstain – 0

No – 0

Carried

E. ED&P Economic Development Specialist Position/IDA Contribution – C. Curtis reported L. Tinney drafted a memo to the ED&P Legislative Committee requesting the backfill of the Economic Development Specialist position recently vacated in June due to Zack Baker’s resignation. C. Curtis reported the memo further addresses the potential IDA annual stipend of \$20,000 for 2020. C. Curtis reported the IDA previously agreed to a \$26,700 contribution of which \$4,131 has been paid to date. In light of Mr. Baker’s resignation and the position being vacant, no further payments will occur in 2019. C. Curtis reported L. Tinney would be addressing this position request with the Tioga County Legislature this month, therefore, requesting a response from the IDA Board in regards to the \$20,000 annual stipend. In light of the projects over the last five years and other agricultural projects on the horizon, Chairman Kelsey recommended the IDA Board consider Ms. Tinney’s request.

Motion to approve the \$20,000 annual stipend for the Tioga County ED&P Economic Development Specialist position for 2020. (A. Gowan, J. Ceccherelli)

Aye – 7

Abstain – 0

No – 0

Carried

VIII. Old Business: C. Curtis

A. Public Authority Accountability Act (PAAA)

1. Audit Committee Report: R. Kelsey, A. Gowan
 - a. NYS Comptroller Audit Summary of Findings Meeting – C. Curtis reported the lead auditor would be on-site 7/11/19 at 9:00 a.m. to meet with Chairman Kelsey and herself. C. Curtis reported final findings could take up to three months.
 - b. Audit RFP – C. Curtis prepared and distributed an audit RFP with a requested deadline submission date of 8/31/19.
2. Governance Committee: J. Ceccherelli, A. Gowan, R. Kelsey
 - a. Committee Assignments: Loan and Audit Committees –
 - i. Loan Committee – In light of K. Dougherty’s recent board resignation, J. Ceccherelli reported there is currently a vacancy on the Loan Committee. R. Kelsey and A. Gowan reported K. Dougherty agreed to continue serving on the Loan Committee. In addition to K. Dougherty, the Loan Committee has two members who are non-IDA Board members.

Chairman Kelsey recommended the IDA Board consider K. Dougherty to continue serving on the Loan Committee.

Motion to acknowledge and approve K. Dougherty's willingness to continue serving on the Loan Committee as a non-IDA Board member. (R. Kelsey, A. Gowan)

Aye – 7

Abstain – 0

No – 0

Carried

- ii. Audit Committee – In light of K. Dougherty's recent board resignation, J. Ceccherelli reported there is currently a vacancy on the Audit Committee. Newly appointed board member, E. Knolles, expressed interest in filling the vacancy on the Audit Committee.

Motion to acknowledge and approve E. Knolles' willingness to serve on the Audit Committee and fill the current vacancy. (J. Ceccherelli, T. Monell)

- b. Attendance Review – J. Ceccherelli reported criteria is established addressing all Board members are required to attend meetings. J. Ceccherelli distributed copies of the annual attendance records and inquired as to whether there are any planned absences from now to year-end. Board members who are unable to attend meetings are required to contact C. Curtis regarding their absence. J. Ceccherelli reported she would be unavailable for the October 2nd meeting due to a planned vacation.
- c. Acknowledgement of Fiduciary Responsibilities for E. Knolles – J. Ceccherelli thanked E. Knolles for signing the acknowledgement, which was submitted to C. Curtis.
- d. Sexual Harassment Training – J. Ceccherelli reported this is a yearly training requirement and for 2019, this training must be satisfied by October 2019. K. Gillette, A. Gowan, and E. Knolles reported they have completed this training and provided certification to C. Curtis. M. Sauerbrey reported she consulted with the County Attorney who stated new regulations stipulate the IDA Board is required to comply with this yearly training. M. Sauerbrey reported Tioga County cannot currently administer this training electronically, however, is in the process of exploring the option of paper format submission.
- ACTION: J. Meagher will research whether outside certifications are acceptable. J. Ceccherelli will follow-up with C. Curtis on exploring other sources of training in the event the County is unable to provide the required training by the established October 2019 deadline.**
- e. ABO Training – J. Ceccherelli reported E. Knolles is required to complete the ABO Public Authorities Accountability Act Training (PAAA) as a new board member.
- ACTION: C. Curtis will register E. Knolles for the next available training and provide E. Knolles with the necessary information and URL link.**
- f. Executive Administrator Evaluation – J. Ceccherelli reported she plans to meet with C. Curtis for an open discussion regarding the position in

anticipation of completing her evaluation in the fall. Board members were encouraged to share feedback with J. Ceccherelli.

3. Finance Committee: R. Kelsey, A. Gowan, and K. Gillette
 - a. Bank Signature Cards – In light of K. Dougherty’s recent resignation, C. Curtis reported new signature cards are required for the removal of K. Dougherty’s name. In addition, the IDA Board should consider appointing someone in his stead. J. Ceccherelli expressed interest in replacing K. Dougherty on the bank signature cards.

Motion to approve the removal of K. Dougherty and the addition of J. Ceccherelli on the bank signature cards. (T. Monell, E. Knolles)

Aye – 7

Abstain – 0

No – 0

Carried

IX. PILOT Updates: C. Curtis:

A. Owego Gardens II

1. Sales Tax Exemption – C. Curtis reported sales tax exemption issued for \$524,194.40. C. Curtis will continue to monitor and provide regular updates to the IDA Board.

X. Correspondence: C. Curtis:

A. Live Stream Legislation Letter – A. Gowan reported L. Tinney has not been able to prepare a letter for IDA Board review/approval, however, plans to do this by the August meeting. In addition to the letter, IDA Board requested C. Curtis and L. Tinney survey other counties as to how they plan to proceed with the new legislation requirements.

ACTION: L. Tinney will draft letter for IDA Board review/approval.

C. Curtis and L. Tinney will survey other counties as to how they plan to proceed with the new legislation requirements.

XI. Motion to move into Executive Session pursuant to Public Officers Law Section 105 at 5:47 p.m. to discuss financial matters. (M. Sauerbrey, R. Kelsey)

Aye – 7

Abstain – 0

No – 0

Carried

K. Gillette motioned to adjourn Executive Session adjourned at 5:54 p.m.

XII. Next Meeting: Wednesday, August 7, 2019 at 4:30 p.m. in the Legislative Conference Room.

XIII. Adjournment – J. Ceccherelli motioned to adjourn the meeting at 5:54 p.m.

Respectfully submitted,

Cathy Haskell

IDA Executive Assistant