



Tioga County Industrial Development Agency
August 4, 2021 – 4:30 pm
Ronald E Dougherty County Office Building
56 Main Street, Owego, NY 13827
ED&P Conference Room, 2nd Floor
Agenda

Call to Order and Introductions

Attendance

IDA Board Members

Roll Call: J. Ceccherelli, K. Gillette, T. Monell, M. Sauerbrey, J. Ward, E. Knolles
Absent:
Excused: A. Gowan
Guests: C. Curtis, M. Griffiths, J. Meagher, L. Tinney

Privilege of the Floor: Jason Bellis, Larson Design Group
[Wetland Delineation Proposal](#)
[Lounsberry Energy Study Proposal](#)

Approval of Minutes

A. [July 7, 2021 Regular Meeting Minutes](#)

Financials

- A. [Balance Sheet](#)
- B. [Profit & Loss](#)
- C. [Transaction Detail](#)

ED&P Update: L. Tinney

Project Updates: L. Tinney & C. Curtis

- A. Owego Gardens II
 - 1. [Updated Project Cost Spreadsheet](#)

New Business: C. Curtis

- A. PILOT Application - West Bay Star LLC
 - 1. [Resolution](#)

[Correspondence](#)

Committee Reports: C. Curtis

- A. Public Authority Accountability Act (PAAA)
 - 1. Audit Committee Report: A. Gowan, E. Knolles, J. Ward
 - a. No report
 - 2. Governance Committee: J. Ceccherelli, A. Gowan, E. Knolles
 - a. Policy review
 - b. Annual employee review by EOM



3. Finance Committee: J. Ceccherelli, A. Gowan, J. Ward
 - a. No report
4. Loan Committee: S. Thomas, A. Gowan, R. Kelsey, K. Dougherty, D. Barton, J. Ward, E. Knolles
 - a. No report
5. Railroad Committee: M. Sauerbrey, K. Gillette, T. Monell
 - a. No report

PILOT Updates: C. Curtis

A. Sales Tax Exemptions Update:

1. Owego Gardens II - \$17,090.60/Authorized \$524,194

Grant Updates: C. Curtis

A. Monkey Run FEMA Application – Approved – Total Project Cost \$28,316.26; Awarded Federal Share \$21,237.20; Awarded State Share \$3,539.53; TCIDA Match \$3,539.53

1. JB's Excavation

B. New York State Division of Homeland Security and Emergency Services (DHSES) DR-4567 Planning Grant – Richford Railroad

1. Application in progress

Motion to move into Executive Session pursuant to Public Officers Law Section 105

Next Meeting: Wednesday September 1, 2021

Adjournment

SCOPE OF SERVICES

for

TIOGA COUNTY INDUSTRIAL DEVELOPMENT AGENCY

Rizzuto and E-Site Parcels
Town of Owego, Tioga County

Larson Design Group (LDG) will conduct a stream and wetland delineation for two property parcels located in the Town of Owego, Tioga County, New York. The parcels include the Rizzuto Property (TM#129.00-1-2.1); aka “Site #1” which is approximately 38.81 acres and a portion of the TCIDA Property (TM#12900-1-3.1) aka “Site #”2 which is approximately 36 acres.

LDG will assess the proposed limits-of-disturbance (LOD) to determine if there are any streams and/or wetlands present within the survey area. The delineation, comprised of a field investigation and the report-of-findings, will be completed for the area. The following tasks will be completed separately for each site.

Task No. 1 – Stream and Wetland Delineation Field Review

- LDG will perform a stream/wetland delineation within the property boundaries of each parcel. The delineation will be conducted in accordance with the *1987 U.S. Army Corps of Engineers Wetlands Delineation Manual* and the *Regional Supplement to the Corps of Engineers Wetland Delineation Manual*. *Regulated streams will be identified and classified in accordance with PADEP Chapter 87 regulations as well as U.S. Army Corps of Engineering resource definitions.*

Task No. 1 – Stream and Wetland Delineation Report-of-Findings

- LDG will complete a report-of-findings that reflects the required criteria of USACOE protocol and the observed findings from the environmental site investigation.

Assumptions / Exclusions

- LDG will have full and ready access to the project area. Costs do not include landowner coordination or contact to obtain access.
- This proposal does not include costs associated with a Jurisdictional Determination.
- This proposal does not include any permitting related services or activities.
- This proposal does not include any investigations for environmental subjects not specifically outlined in the tasks above.
- Costs assume no significant delays due to any client-related activities or inclement weather conditions.

COST

Site 1 - \$4,100.00

Site 2 - \$4,100.00

Cost if sites are completed as one investigation - \$6,800.00



July 30, 2021

LeeAnn Tinney, Director
Tioga County Economic Planning and Development
56 Main Street
Owego, NY 13827

Re: Lounsberry – Energy Study and Master Planning

Dear LeeAnn,

At your request, we hereby offer the following Scope of Services for an Energy Study and Master Planning analysis for power to the Lounsberry business development area:

Purpose

The purpose of the Scope of Work is to provide coordination with NYSEG and develop an Energy and Master Planning Report detailing a conceptual Master Plan and Design. The Design will provide scalable Electrical Power Distribution to develop Commercial and Industrial Commerce Park Parcels/Buildings in proximity to the intersection of Route 17 and Stanton Hill Road in Lounsberry (Town of Nichols), NY.

Master Planning (20 hours)

Development of a conceptual Master Plan will include the following:

- Establish the Overall Area of Work.
- Establish the expected number of parcels/buildings to be powered.
- Establish the expected type/category of Customers to be powered.
- Establish estimated range of building sizes (Square Footage).
- Evaluate budgetary costs with available funding.
- Establish and present options.

NYSEG Coordination (12 hours)

The coordination with NYSEG include the following:

- Determine distribution voltages and capacities in proximity to the Overall Work Area.
- Coordinate estimated demand loads based on Master Planning discussions
- Determine responsibilities and options for upgrades to Utility infrastructure.
- Evaluate Utility costs for extending service to the Overall Area of Work.
- Evaluate Utility equipment and energy costs for each type of Electrical service.
- Determine any incentives for sustainable energy or other Utility mandates.
- Establish Opinion of Probable Energy Costs.

Larson Design Group

8836 State Route 434, Apalachin, NY 13732
607.444.9010 | larsondesigngroup.com



Conceptual Design (16 hours)

Development of a Conceptual Design will include the following:

- Review power requirements for potential occupancies.
- Estimate the expected range of power demand for the current and future loads.
- Evaluate service options and requirements, and service voltage and capacity.
- Determine configurations and options for Electrical Distribution.

Summary Report (16 Hours)

The Summary Report will include the following:

- Develop a matrix of base design, options, associated costs, and schedule.
- Evaluate the Base Design and Options.
- Make Recommendations
- Deliver Report

Based on the above Scope for Services, we offer the following lump sum fee: **\$9,620.00**.

If you have any questions, please feel free to contact me at LDG's Apalachin office at (607) 444-9010 or via jbellis@larsondesigngroup.com.

Sincerely,

LARSON DESIGN GROUP

Jason L. Bellis

Jason Bellis, P.E.
Project Manager

cc: Ralph Frye, LDG

Tioga County Industrial Development Agency

Balance Sheet

As of July 31, 2021

08/02/21

Accrual Basis

	Jul 31, 21	Jul 31, 20	\$ Change
ASSETS			
Current Assets			
Checking/Savings			
Restricted Cash Accounts			
COVID-19	311,726.46	330,009.49	-18,283.03
Community- Facade Improvement	177,735.21	132,813.10	44,922.11
CCTC- Industrial Park	9,706.03	11,795.37	-2,089.34
USDA Funds			
CCTC- Loan Loss Reserve	40,473.32	40,456.82	16.50
TSB- IRP 2016 (Formerly IRP 4)	102,025.68	111,471.97	-9,446.29
TSB- RBEG	145,869.01	125,289.83	20,579.18
TSB- marketing	1,115.84	1,240.63	-124.79
Total USDA Funds	<u>289,483.85</u>	<u>278,459.25</u>	<u>11,024.60</u>
Total Restricted Cash Accounts	<u>788,651.55</u>	<u>753,077.21</u>	<u>35,574.34</u>
CCTC- CDs			
Site Development			
Site Development 2441	100,000.00	0.00	100,000.00
Site Development 2440	100,000.00	0.00	100,000.00
Site Development 2439	100,000.00	0.00	100,000.00
Total Site Development	<u>300,000.00</u>	<u>0.00</u>	<u>300,000.00</u>
Land Acquisition (879)	545,414.33	540,715.81	4,698.52
Capital Improvement (284)	318,847.13	318,847.13	0.00
Total CCTC- CDs	<u>1,164,261.46</u>	<u>859,562.94</u>	<u>304,698.52</u>
Temporarily Restricted Cash Acc			
TSB-Owego Gardens	116,562.35	112,712.35	3,850.00
TSB-Crown Cork and Seal	300,105.67	300,105.67	0.00
Community- BestBuy PILOT Acct.	570,369.98	570,338.71	31.27
Total Temporarily Restricted Cash Acc	<u>987,038.00</u>	<u>983,156.73</u>	<u>3,881.27</u>
Unrestricted Cash Accounts			
TSB ICS	1,564,634.96	1,862,430.94	-297,795.98
TSB- checking	83,215.81	31,738.66	51,477.15
TSB- general fund	125,715.45	125,675.91	39.54
Total Unrestricted Cash Accounts	<u>1,773,566.22</u>	<u>2,019,845.51</u>	<u>-246,279.29</u>
Total Checking/Savings	<u>4,713,517.23</u>	<u>4,615,642.39</u>	<u>97,874.84</u>
Other Current Assets			
COVID-19 ERLP			
C-7-A	21,393.09	0.00	21,393.09
C-6-A	0.00	60,000.00	-60,000.00
C-5-A	7,762.37	10,000.00	-2,237.63
C-4-A	7,569.83	10,000.00	-2,430.17
C-3-A	0.00	25,000.00	-25,000.00
C-2-A	10,637.13	15,000.00	-4,362.87
C-1-A	19,514.29	25,000.00	-5,485.71
Total COVID-19 ERLP	<u>66,876.71</u>	<u>145,000.00</u>	<u>-78,123.29</u>
Accounts Receivable 1300.01	168,453.05	395,041.19	-226,588.14
Allowance for Doubtful Accounts	-35,000.00	-35,000.00	0.00
Commercial Facade Loan Program			
Loan Rec - 2017-01-C	22,500.00	30,000.00	-7,500.00
Loan Rec - 2018-03-C	11,250.00	15,000.00	-3,750.00
Loan Rec - 2018-02-C	0.00	72.00	-72.00
Loan Rec - 2018-01-C	3,870.02	5,670.02	-1,800.00
Loan Rec - 2017-03-C	0.00	5,070.00	-5,070.00
Loan Rec - 2017-02-C	15,681.39	22,170.15	-6,488.76
Loan Rec - 2016-03-C	4,375.32	7,657.08	-3,281.76
Loan Rec - 2016-02-C	8,333.60	15,972.44	-7,638.84
Loan Rec - 2016-01-C	0.00	-0.09	0.09
Loan Rec - 2015-06-C	2,926.82	7,317.14	-4,390.32
Loan Rec - 2014-01-C	0.00	169.34	-169.34
Loan Rec - 2015-05-C	2,100.33	5,991.36	-3,891.03
Total Commercial Facade Loan Program	<u>71,037.48</u>	<u>115,089.44</u>	<u>-44,051.96</u>
RBEG			
RBEG Loan Rec 2020-01	0.00	10,000.00	-10,000.00
Loan Rec - RBEG 2019 -06	65,858.40	73,357.76	-7,499.36
Total RBEG	<u>65,858.40</u>	<u>83,357.76</u>	<u>-17,499.36</u>
IRP 4			
Loan Rec 2021-02-A	16,125.00	0.00	16,125.00
Loan Rec 2021-01-A	78,823.79	0.00	78,823.79
Loan Rec 2019-07-A	38,044.03	39,853.45	-1,809.42
Loan Rec - 2019 - 06A	82,325.30	91,699.52	-9,374.22
Loan Rec 2018-02-A	5,969.23	7,399.52	-1,430.29
Loan Rec 2018-01-A	60,385.66	64,117.43	-3,731.77
Loan Rec 2017-05-A	4,639.06	9,511.42	-4,872.36
Loan Rec 2017-04-A	31,754.24	33,937.92	-2,183.68
Loan Rec 2017-03-A	0.00	13,953.09	-13,953.09

Tioga County Industrial Development Agency

Balance Sheet

As of July 31, 2021

08/02/21

Accrual Basis

	Jul 31, 21	Jul 31, 20	\$ Change
Loan Rec 2017-02-A	0.00	47,726.23	-47,726.23
Loan Rec 2017-01-A	15,536.33	17,994.50	-2,458.17
Loan Rec 2016-01-A	0.00	7,439.01	-7,439.01
Loan Rec 2009-02-A	49,451.58	50,451.58	-1,000.00
Total IRP 4	383,054.22	384,083.67	-1,029.45
IRP 3			
Loan Rec 2007-08-A	9,815.83	18,312.75	-8,496.92
Total IRP 3	9,815.83	18,312.75	-8,496.92
IRP 2			
Loan Rec 2011-03-A	8,549.94	20,853.24	-12,303.30
Total IRP 2	8,549.94	20,853.24	-12,303.30
Total Other Current Assets	738,645.63	1,126,738.05	-388,092.42
Total Current Assets	5,452,162.86	5,742,380.44	-290,217.58
Fixed Assets			
Land- Mitchell	0.00	58,453.51	-58,453.51
Equipment			
2012 computer upgrade	0.00	1,436.88	-1,436.88
Equipment - Other	0.00	264.00	-264.00
Total Equipment	0.00	1,700.88	-1,700.88
Land- Cavataio	2,500.00	2,500.00	0.00
Land-general	601,257.05	601,257.05	0.00
Land-Louns			
Lopke	8,993.03	8,993.03	0.00
Town of Nichols	20,000.00	20,000.00	0.00
Berry	2,452.20	2,452.20	0.00
Hess	259,561.43	259,561.43	0.00
Land-Louns - Other	139,612.53	139,612.53	0.00
Total Land-Louns	430,619.19	430,619.19	0.00
Land 434	376,800.36	376,800.36	0.00
Railroad Improvements	1,979,330.50	1,979,330.50	0.00
Z Accumulated Depreciation	-1,216,347.46	-1,197,077.10	-19,270.36
Total Fixed Assets	2,174,159.64	2,253,584.39	-79,424.75
TOTAL ASSETS	7,626,322.50	7,995,964.83	-369,642.33
LIABILITIES & EQUITY			
Liabilities			
Current Liabilities			
Other Current Liabilities			
Accrued Expenses	0.00	453.05	-453.05
PILOT Payments			
Spencer-Tioga Solar			
School	-45,284.51	0.00	-45,284.51
County	-26,526.09	0.00	-26,526.09
Town	-17,789.40	0.00	-17,789.40
Spencer-Tioga Solar - Other	180,992.00	89,600.00	91,392.00
Total Spencer-Tioga Solar	91,392.00	89,600.00	1,792.00
Gateway Owego, LLC			
Village	-505.41	0.00	-505.41
County	-323.33	0.00	-323.33
School	-744.23	0.00	-744.23
Town	-27.72	0.00	-27.72
Gateway Owego, LLC - Other	3,200.69	1,600.00	1,600.69
Total Gateway Owego, LLC	1,600.00	1,600.00	0.00
Crown Cork and Seal			
School	-193,696.44	0.00	-193,696.44
County & Recycle	-89,725.36	0.00	-89,725.36
Town	-16,578.20	0.00	-16,578.20
Crown Cork and Seal - Other	600,000.00	300,000.00	300,000.00
Total Crown Cork and Seal	300,000.00	300,000.00	0.00
Owego Gardens			
County & Recycle	-1,293.37	0.00	-1,293.37
Town	-110.90	0.00	-110.90
Village	-2,021.72	0.00	-2,021.72
School	-2,977.01	0.00	-2,977.01
Owego Gardens - Other	29,942.00	23,078.00	6,864.00
Total Owego Gardens	23,539.00	23,078.00	461.00
Best Buy PP	570,000.00	570,000.00	0.00
Total PILOT Payments	986,531.00	984,278.00	2,253.00
Total Other Current Liabilities	986,531.00	984,731.05	1,799.95

Tioga County Industrial Development Agency

Balance Sheet

As of July 31, 2021

	Jul 31, 21	Jul 31, 20	\$ Change
Total Current Liabilities	986,531.00	984,731.05	1,799.95
Long Term Liabilities			
Tioga County COVID-19 ERLP	377,951.93	475,000.00	-97,048.07
Loan Pay- IRP 4	191,770.48	212,507.33	-20,736.85
Loan Pay- IRP 3	181,608.37	181,608.37	0.00
Loan Pay- IRP 2	101,111.91	112,327.63	-11,215.72
Loan Pay- IRP 1	46,180.14	53,900.28	-7,720.14
Total Long Term Liabilities	898,622.83	1,035,343.61	-136,720.78
Total Liabilities	1,885,153.83	2,020,074.66	-134,920.83
Equity			
Board Designated Funds	1,406,302.63	1,406,302.63	0.00
1110 - Retained Earnings	4,724,944.51	4,740,191.06	-15,246.55
Net Income	-390,078.47	-170,603.52	-219,474.95
Total Equity	5,741,168.67	5,975,890.17	-234,721.50
TOTAL LIABILITIES & EQUITY	7,626,322.50	7,995,964.83	-369,642.33

Tioga County Industrial Development Agency

Profit & Loss

08/02/21

January through July 2021

Accrual Basis

	Jan - Jul 21	Jan - Jul 20	\$ Change
Ordinary Income/Expense			
Income			
Bank Service Charge Refund	0.00	47.50	-47.50
Gain/Loss on Sale of Asset	-58,453.51	0.00	-58,453.51
Loan Interest Income			
COVID-19 C-7-A	246.44	0.00	246.44
COVID-19 C-5-A	130.15	0.00	130.15
COVID-19 C-1-A	274.68	0.00	274.68
COVID-19 C-2-A	208.27	0.00	208.27
COVID-19 C-4-A	126.21	0.00	126.21
IRP 4 - 2019 - 06A	1,989.13	1,883.03	106.10
RBEG 2019 -06	1,591.31	1,504.55	86.76
IRP 2			
2011-03-A	370.75	388.97	-18.22
Total IRP 2	370.75	388.97	-18.22
IRP 3			
2007-08-A	455.17	305.76	149.41
Total IRP 3	455.17	305.76	149.41
IRP 4			
2021-01-A	332.11	0.00	332.11
2019-07-A	1,183.85	175.00	1,008.85
2018-02-A	151.55	102.90	48.65
2018-01-A	1,715.22	515.61	1,199.61
2017-04-A	856.28	388.56	467.72
2017-03-A	0.00	153.82	-153.82
2017-05-A	75.66	91.18	-15.52
2017-01-A	238.61	154.16	84.45
2017-02-A	482.31	899.55	-417.24
2016-01-A	66.88	355.06	-288.18
Total IRP 4	5,102.47	2,835.84	2,266.63
Total Loan Interest Income	10,494.58	6,918.15	3,576.43
Loan Program Fee			
COVID-19 ERLP	50.00	450.00	-400.00
Facade	0.00	100.00	-100.00
IRP 4	1,261.25	0.00	1,261.25
Total Loan Program Fee	1,311.25	550.00	761.25
Loan Late Fee			
COVID-19 C-7-A	21.65	0.00	21.65
COVID-19 C-1-A	129.90	0.00	129.90
2016-02-C	83.33	83.32	0.01
RBEG 2019-16	0.00	24.30	-24.30
IRP 4 2019-06-A	0.00	30.37	-30.37
2018-02-A	5.00	0.00	5.00
2018-01-C	5.00	5.00	0.00
Loan Late Fee - Other	0.00	5.00	-5.00
Total Loan Late Fee	244.88	147.99	96.89
Loan Administrative Fee	1,034.24	164.18	870.06
4110 - Grants			
Broadband Study	65,397.00	0.00	65,397.00
Ag Value Chain	20,000.00	0.00	20,000.00
4110 - Grants - Other	263,948.26	232,500.00	31,448.26
Total 4110 - Grants	349,345.26	232,500.00	116,845.26
Interest Income-			
Interest Income- TSB ICS	1,012.33	6,563.88	-5,551.55
Community- Facade Improvement	8.12	19.63	-11.51

Tioga County Industrial Development Agency

Profit & Loss

08/02/21

January through July 2021

Accrual Basis

	Jan - Jul 21	Jan - Jul 20	\$ Change
CCTC Loan Loss Reserve Account	8.02	11.80	-3.78
Community- Lounsberry	0.00	68.17	-68.17
TSB- checking	95.27	126.35	-31.08
TSB-general fund	21.71	56.53	-34.82
TSB- IRP 4	15.17	24.56	-9.39
TSB- RBEG	14.17	21.21	-7.04
TSB- marketing	0.11	0.25	-0.14
Total Interest Income-	1,174.90	6,892.38	-5,717.48
Leases/Licenses	12,209.07	12,280.80	-71.73
4150 · Miscellaneous Income	0.00	0.00	0.00
OHRy freight	115,451.54	51,746.95	63,704.59
Total OHRy	115,451.54	51,746.95	63,704.59
4170 · PILOT Program Fees			
Tioga Downs	0.00	0.00	0.00
4170 · PILOT Program Fees - Other	2,500.00	0.00	2,500.00
Total 4170 · PILOT Program Fees	2,500.00	0.00	2,500.00
Sale of Property	3,800.00	1,000.00	2,800.00
Total Income	439,112.21	312,247.95	126,864.26
Expense			
Grant Expense			
Ag Value Chain	30,000.00	0.00	30,000.00
Grant Expense - Other	232,500.00	341,324.22	-108,824.22
Total Grant Expense	262,500.00	341,324.22	-78,824.22
Marketing	463.50	237.50	226.00
Tioga Industrial Park	0.00	200.00	-200.00
Education			
Curtis	0.00	55.00	-55.00
Total Education	0.00	55.00	-55.00
Loan Admin Fee			
IRP 4	1,034.24	860.07	174.17
Total Loan Admin Fee	1,034.24	860.07	174.17
Loan Program Expense			
COVID-19 ERLP	0.00	137.30	-137.30
Marketing	112.50	0.00	112.50
Loan Program Expense - Other	99.35	185.45	-86.10
Total Loan Program Expense	211.85	322.75	-110.90
6120 · Bank Service Charges			
Check order			
TSB IRP 4	0.00	15.00	-15.00
TSB RBEG	0.00	25.00	-25.00
Total Check order	0.00	40.00	-40.00
6120 · Bank Service Charges - Other	50.00	68.50	-18.50
Total 6120 · Bank Service Charges	50.00	108.50	-58.50
6160 · Dues and Subscriptions	1,769.00	1,060.00	709.00
Employee benefit			
IRA Company Match	810.00	778.80	31.20
Total Employee benefit	810.00	778.80	31.20

Tioga County Industrial Development Agency

Profit & Loss

08/02/21

January through July 2021

Accrual Basis

	Jan - Jul 21	Jan - Jul 20	\$ Change
6180 · Insurance			
WC (Utica)	-239.00	0.00	-239.00
Travel/Accident (Hartford)	750.00	750.00	0.00
D & O (Philadelphia Ins. Co)	4,201.00	4,203.00	-2.00
6190 · Disability (First Rehab Life)	357.83	243.27	114.56
Employee Health (SSA)	3,290.05	3,209.41	80.64
6185 · Property & Liability (Dryden)	10,947.28	10,678.20	269.08
RR Liability (Steadfast)	26,648.14	25,529.80	1,118.34
Total 6180 · Insurance	45,955.30	44,613.68	1,341.62
6200 · Interest Expense			
6205 · Loan Int Exp Covid	816.66	0.00	816.66
6200 · Interest Expense - Other	5,603.43	5,996.23	-392.80
Total 6200 · Interest Expense	6,420.09	5,996.23	423.86
6240 · Miscellaneous	142.90	0.00	142.90
6560 · Payroll Expenses			
Payroll Expenses - HSA	2,100.00	1,050.00	1,050.00
6560 · Payroll Expenses - Other	27,489.88	28,190.80	-700.92
Total 6560 · Payroll Expenses	29,589.88	29,240.80	349.08
6250 · Postage and Delivery	0.00	27.45	-27.45
6270 · Professional Fees			
Bizilife LLC	1,750.00	0.00	1,750.00
Ag Ec Dev Specialist Position	10,000.00	10,000.00	0.00
Administrative Services			
Tinney, M	0.00	1,800.00	-1,800.00
Haskell	0.00	5,425.00	-5,425.00
Tinney	14,875.00	14,875.00	0.00
Total Administrative Services	14,875.00	22,100.00	-7,225.00
6650 · Accounting			
Jan Nolis	1,340.00	2,190.00	-850.00
6650 · Accounting - Other	7,300.00	7,000.00	300.00
Total 6650 · Accounting	8,640.00	9,190.00	-550.00
6280 · Legal Fees			
Loan Program Fees	83.89	0.00	83.89
6280 · Legal Fees - Other	20,203.52	13,524.45	6,679.07
Total 6280 · Legal Fees	20,287.41	13,524.45	6,762.96
Total 6270 · Professional Fees	55,552.41	54,814.45	737.96
6670 · Program Expense			
Water Tower	422,868.96	504.00	422,364.96
Total 6670 · Program Expense	422,868.96	504.00	422,364.96
Property Taxes			
Stanton Hill 9.64A Town Lot	226.20	234.97	-8.77
96 · Smith Creek Rd	27.96	256.00	-228.04
540 · Stanton Hill	171.19	177.83	-6.64
Spring St	0.26	0.26	0.00
Berry Road (47)	144.26	149.85	-5.59
Carmichael Road	4.47	4.43	0.04
Smith Creek Road	23.97	24.90	-0.93
Glenmary Drive	10.74	10.49	0.25
Metro Road	8.95	8.74	0.21
Total Property Taxes	618.00	867.47	-249.47
Recording fees	385.50	0.00	385.50

Tioga County Industrial Development Agency

Profit & Loss

08/02/21

January through July 2021

Accrual Basis

	Jan - Jul 21	Jan - Jul 20	\$ Change
6770 · Supplies	716.96	458.52	258.44
6350 · Travel & Ent			
6380 · Travel	109.45	0.00	109.45
6350 · Travel & Ent - Other	0.00	1,391.52	-1,391.52
Total 6350 · Travel & Ent	109.45	1,391.52	-1,282.07
Total Expense	829,198.04	482,860.96	346,337.08
Net Ordinary Income	-390,085.83	-170,613.01	-219,472.82
Other Income/Expense			
Other Income			
Interest Income - TSB COVID19	7.36	9.49	-2.13
Total Other Income	7.36	9.49	-2.13
Net Other Income	7.36	9.49	-2.13
Net Income	-390,078.47	-170,603.52	-219,474.95

Tioga County Industrial Development Agency Transaction Detail

July 2021

Type	Date	Num	Name	Memo	Amount
Restricted Cash Accounts					
COVID-19					
Deposit	07/07/2021			Loan Pmt	1,182.92
Deposit	07/08/2021			Loan Pmts	1,088.61
Deposit	07/15/2021			Loan Pmt	300.00
Check	07/28/2021		Tioga County Treasurer	2nd QTR 2021 COVID/HUD loan principal & interest	-7,624.64
Deposit	07/30/2021			Loan pmt	432.92
Total COVID-19					-4,620.19
Community- Facade Improvement					
Deposit	07/01/2021			Loan Pmts	840.04
Deposit	07/06/2021			Loan pmt	625.00
Deposit	07/07/2021			Loan Pmts	678.36
Deposit	07/15/2021			Loan Pmt	273.48
Deposit	07/30/2021			Loan Pmts	977.67
Total Community- Facade Improvement					3,394.55
USDA Funds					
TSB- IRP 2016 (Formerly IRP 4)					
Deposit	07/01/2021			Loan Pmts	2,571.85
Deposit	07/01/2021			Loan pmt	306.00
Deposit	07/06/2021			Loan pmt	321.55
Deposit	07/07/2021			Loan Pmts	1,164.99
Deposit	07/08/2021			Loan Pmt	240.00
Deposit	07/09/2021			Loan Pmt	559.08
Deposit	07/13/2021			Loan Pmt	420.00
Check	07/15/2021	1087	TCIDA	2nd QTR Loan Admin Fee	-534.53
Check	07/22/2021	X	USDA	2021 Annual USDA Payment - IRP 4	-12,339.00
Deposit	07/30/2021			Loan pmt	728.81
Deposit	07/30/2021			Loan pmt	306.00
Total TSB- IRP 2016 (Formerly IRP 4)					-6,255.25
TSB- RBEG					
Deposit	07/07/2021			Loan Pmt	809.96
Total TSB- RBEG					809.96
Total USDA Funds					
					-5,445.29
Total Restricted Cash Accounts					
					-6,670.93
Unrestricted Cash Accounts					
TSB- checking					
Check	07/01/2021	6706	LeeAnn Tinney	July 2021 Professional Services	-2,125.00
Check	07/01/2021	6707	BiziLife LLC	June social media	-500.00
Check	07/07/2021	X	NYS Division of the Treasury	June 2021 State Tax Deposit	-143.90
Check	07/07/2021	6708	Christine E Curtis	Pay Period: 6/20/21-7/3/21	-1,362.21
Check	07/15/2021	X	EFTPS 941 Tax Payment	June 2021 Federal Tax Deposit	-817.16
Check	07/15/2021	6709	The Business Council	2021 Business Council Membership	-709.00
Check	07/15/2021	6710	Jan Nolis, CPA	Prof Svcs	-650.00
Check	07/15/2021	6711	SunEast Renewables LLC	Refund SunEast Valley Solar PILOT App Fee	-2,500.00
Check	07/15/2021	6712	Tioga County	June Verizon IT invoice 3896	-37.99
Check	07/15/2021	6713	Tioga County ED&P	Staples Order 7334598289 Rfnd	-135.69
Check	07/15/2021	6714	Christine Curtis	HSA July 2021	-300.00
Deposit	07/16/2021			2nd QTR Loan Admin Fee	534.53
Check	07/20/2021	6715	Jan Nolis, CPA	Prof Svcs	-180.00
Check	07/21/2021	6716	Christine E Curtis	Pay Period: 7/4/21-7/17/21	-1,362.20
Check	07/21/2021	6717	Franklin Templeton	July 2021 Simple IRA - C. Curtis	-216.00
Check	07/21/2021	6718	Christine Curtis	Rfnd order #1979572	-142.90
Deposit	07/22/2021			RJ Corman	19,761.75
Check	07/28/2021	6719	RB Robinson	Owego Water & Tank - Pay App #1252-02R1	-262,924.66
Check	07/28/2021	6720	Tioga County Treasurer	2nd QTR 2021 postage - DSS	-23.88
Check	07/28/2021	6721	Excellus Health Plan	Aug 2021 Inv 28892506	-471.35
Total TSB- checking					-254,305.66
Total Unrestricted Cash Accounts					
					-254,305.66
TOTAL					
					-260,976.59



DRAFT

**Tioga County Industrial Development Agency
July 7, 2021 – 4:30 pm
Ronald E Dougherty County Office Building
56 Main Street, Owego, NY 13827
ED&P Conference Room, 2nd Floor
Agenda**

I. **Call to Order and Introductions**-Ms. Ceccherelli called the meeting to order at 4:30 pm.

II. **Attendance**

IDA Board Members

Roll Call: J. Ceccherelli, K. Gillette, T. Monell, M. Sauerbrey, J. Ward, E. Knolles (attended via Zoom)

Absent: A. Gowan

Excused:

Guests: C. Curtis, M. Griffiths, J. Meagher, L. Tinney

III. **Privilege of the Floor:** None

IV. **Approval of Minutes**

A. [July 2, 2021 Regular Meeting Minutes](#)

Motion to approve June 2, 2021 Regular Board Meeting Minutes via Zoom, as written. (T. Monell, K. Gillette)

**Aye-5 Abstain-0
No-0 Carried**

V. **Financials**

A. [Balance Sheet](#)

B. [Profit & Loss](#)

C. [Transaction Detail](#)

Motion to acknowledge financials, as presented (M. Sauerbrey, J. Ward)

**Aye-5 Abstain-0
No-0 Carried**

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

A. [Conceptual Design](#)

- Ms. Tinney reported on ED&P’s current activities:
 - i. Tioga County Economic Recovery Council wrapped up and a summary document of the group’s efforts was produced.
 - ii. The department is still working to connect businesses to COVID relief programs.
 - iii. Teresa Saraceno is stepping down as Land Bank Director; Brittany Woodburn will be assuming the Land Bank Director duties.
 - iv. Ms. Tinney along with E. Jardine and R. Kelsey were able to visit an Ithaca Neighborhood Housing apartment complex in Watkins Glen.
 - v. The SEPP housing project in the Village of Waverly is moving along.



- vi. The department has received numerous applications for the Education Workforce Coordinator position.
- vii. The Agricultural Value Chain Study has been completed.
- viii. There are currently 13 potential grants, 23 grants that the department is assisting with, 21 active grants, and one that has been completed.
- Ms. Tinney also presented a conceptual design for the industrial space on the IDA owned site in Lounsberry. The design shows six, 12,000 square foot buildings on the site. Ms. Tinney is waiting on an approximate cost to construct the buildings and extend utilities to the site.

VII. Project Updates: L. Tinney & C. Curtis

A. Owego Gardens II

1. Updated Project Cost Spreadsheet-Ms. Curtis reported that there are no updates to the Project Cost Spreadsheet.

- Ms. Tinney gave an update on the Owego Gardens II activity:
 - Both culverts are complete, the tank access road grading is complete, the tank site prep work has begun, the tank and roof are on order, and the water main coming up the hill is complete.
 - Ms. Tinney alerted the board that there have been complications with the townhouse loop road. The original plans called for an eight-inch pipe line to be put in place for the townhouse loop. However, due to trying to limit costs, a six-inch pipe line was purchased. Suez recently explained that they only accept eight-inch lines. Ultimately, Suez has decided that they will allow the six-inch line.
 - Home Leasing also noted a problem with compaction of the lines. Home Leasing required native materials to be pulled out and bring in better materials to help with the compaction rate. Ms. Tinney anticipates there being a change order because this issue was not stated in the original spec and not what Robinson had bid. This will require taking up the pipe that has been put in place and excavating the native materials. Ms. Tinney will find out what materials with which the pipe is being compacted.
 - Ms. Tinney noted that there might be a potential revision to the developer agreement between the IDA and Suez. Currently the IDA is paying inspection fees through Suez. Because parts of the project were left out of the original scope of work, which include the SCADA work, purchase of a generator and miscellaneous electrical work. Ms. Tinney is working through who will work on these items, what the cost of these remaining items are, and how it will be paid for. Instead of the IDA putting out another RFP for these items, an easier way is to modify the developer agreement to incorporate these items. Once it is decided who will do the work and what the costs are, Ms. Tinney will bring it back to the board for their approval.

B. Education Workforce Coordinator

1. Agreement-there is an agreement in place with the Hooker foundation to fund the position.
2. ARC pre-application accepted; full application in progress
3. Steering Committee established
4. Job posted
 - a. resumes received-Ms. Curtis noted many resumes for the position have been received.



VIII. New Business: C. Curtis

- A. PILOT Application – Ithaca Neighborhood Housing Services, Inc.; Temple and Liberty, LLC (to be formed)

- 1. Resolution

Motion to approve the resolution allowing the Tioga County IDA to enter into a PILOT agreement with Ithaca Neighborhood Housing Services; Temple and Liberty, LLC (to be formed). (M. Sauerbrey, K. Gillette)

Aye-5 Abstain-0
No-0 Carried

- B. PILOT Application - West Bay Star LLC

- 1. Cost Benefit Analysis-Ms. Curtis briefly reviewed the cost benefit analysis for this project, which will build a medical facility in a currently vacant property on Taylor Road in the Town of Owego. The project will create 12.5 jobs. The project is a 20 year PILOT request. The project area is out of the floodplain.

- 2. [Inducement Resolution](#)

- 3. Public Hearing

Motion to approve the inducement resolution, acknowledge the PILOT application, and set the public hearing for July 28, 2021 at 5 pm. (M. Sauerbrey, K. Gillette)

Aye-5 Abstain-0
No-0 Carried

- C. PILOT Application - SUNEAST VALLEY SOLAR LLC

- 1. Cost Benefit Analysis-Ms. Curtis briefly reviewed the cost benefit analysis for this project, which intends to bring a 20 megawatt solar field to 2593 Montrose Turnpike in the Town of Owego, covering approximately 168 acres and create one job.

- 2. [Inducement Resolution](#)

- 3. Public Hearing

Motion made by T. Monell, motion withdrawn by T. Monell; therefore, no motion to approve the inducement resolution, acknowledge the PILOT application, and set the public hearing was made.

IX. Committee Reports: C. Curtis

- A. Public Authority Accountability Act (PAAA)

- 1. Audit Committee Report: A. Gowan, E. Knolles, J. Ward
 - a. No report

- 2. Governance Committee: J. Ceccherelli, A. Gowan, E. Knolles
 - a. No report

- 3. Finance Committee: J. Ceccherelli, A. Gowan, J. Ward
 - a. No report

- 4. Loan Committee: S. Thomas, A. Gowan, R. Kelsey, K. Dougherty, D. Barton, J. Ward, E. Knolles
 - a. No report

- 5. Railroad Committee: M. Sauerbrey, K. Gillette, T. Monell



a. No report

X. PILOT Updates: C. Curtis

A. Sales Tax Exemptions Update:

1. Owego Gardens II - \$15,335.26/Authorized \$524,194

XI. Grant Updates: C. Curtis

A. Ag Value Chain-M. Griffiths gave the board a summary of the Agricultural Value Chain project.

1. Final Report

B. Monkey Run FEMA Application – Approved – Total Project Cost \$28,316.26; Awarded Federal Share \$21,237.20; TCIDA Match \$7,079.06

1. Obtaining bids-Ms. Curtis reported that she expecting to receive three bids for this project soon.

2. Federal share received

C. New York State Division of Homeland Security and Emergency Services (DHSES) DR-4567 Planning Grant – Richford Railroad

1. Application in progress

D. ESD AA616 Tioga County IDA - Weitsman Shredding

1. Final pass-thru disbursement completed - \$232,500

XII. Motion to move into Executive Session pursuant to Public Officers Law Section 105

With no matters to discuss, the board did not move into Executive Session.

XIII. Next Meeting: Wednesday August 4, 2021

XIV. Adjournment-Ms. Sauerbrey motioned to adjourn the meeting at 5:15 pm.

<i>Original Est</i>	1,248,000
Original IDA cost	898,000
Actual IDA cost *	910,477

* 30,000 Contract A&B allowance

<i>Original Est</i>	1,248,000
Original IDA cost	898,000
Actual IDA cost *	910,477

* 30,000 Contract A&B allowance

A regular meeting of Tioga County Industrial Development Agency (the "Agency") was convened in public session at the Ronald E. Dougherty County Office Building, 56 Main Street, Owego, Tioga County, New York on Wednesday, August 4, 2021, at 4:30 o'clock p.m., local time.

The meeting was called to order by the Chairman and, upon roll being called, the following members of the Agency were:

PRESENT:	Jenny Ceccherelli	Chairperson
	Kevin Gillette	Vice Chairperson
	Martha Sauerbrey	Secretary
	Aaron Gowan	Treasurer
	Tracy Monell	Member
	Jonathan Ward	Member
	Eric Knolles	Member

ABSENT:

AGENCY STAFF PRESENT:

Christine Curtis	Executive Administrator
LeeAnn Tinney	Economic Development & Planning
Joseph B. Meagher, Esq.	Agency Counsel

The following resolution was offered by _____, seconded by _____, to wit:

RESOLUTION AUTHORIZING A LEASE/LEASEBACK TRANSACTION TO FACILITATE THE SITE DEVELOPMENT, CONSTRUCTION AND EQUIPPING OF THE COMPANY'S INTEREST IN LAND LOCATED AT 936 TAYLOR ROAD AND THE SOUTH SIDE OF BODLE HILL ROAD IN THE TOWN OF OWEGO, COUNTY OF TIOGA AND STATE OF NEW YORK TO BE USED AS A HEALTHCARE FACILITY AND PARKING LOT, AND APPOINTING WEST BAY STAR, LLC (THE "COMPANY"), AS AGENT OF THE AGENCY FOR THE PURPOSE OF SITE DEVELOPMENT, CONSTRUCTION AND EQUIPPING THE PROJECT, AUTHORIZING THE EXECUTION AND DELIVERY OF CERTAIN DOCUMENTS WITH RESPECT THERETO, INCLUDING A PAYMENT IN LIEU OF TAX AGREEMENT, DEVIATING FROM THE AGENCY'S UNIFORM TAX EXEMPTION POLICY, AND PROVIDING FOR A SALES AND USE TAX EXEMPTION IN AN AMOUNT NOT TO EXCEED \$176,000.00, A MORTGAGE TAX EXEMPTION IN AN AMOUNT NOT TO EXCEED \$32,525.00, AND A REAL PROPERTY TAX EXEMPTION IN AN AMOUNT NOT TO EXCEED \$1,233,011.62.

WHEREAS, the Tioga County Industrial Development Agency (the "Agency") is authorized and empowered by the provisions of Chapter 1030 of the 1969 Laws of the State of New York, constituting Title 1 of Article 18-A of the General Municipal Law, as amended (the "Enabling Act") and Chapter 534 of the 1971 Laws of the State of New York, as amended by Chapter 883 of the 1974 Laws of the State of New York, constituting Section 912 of said General Municipal Law (said Chapter and the Enabling Act being hereinafter collectively referred to as

the "Act") to promote, develop, encourage and assist in the acquiring, constructing, reconstructing, improving, maintaining, equipping and furnishing of industrial, manufacturing, warehousing, commercial, research, recreation and civic facilities, among others, for the purpose of promoting, attracting and developing economically sound commerce and industry to advance the job opportunities, health, general prosperity and economic welfare of the people of the State of New York, to improve their prosperity and standard of living, and to prevent unemployment and economic deterioration; and

WHEREAS, to accomplish its stated purposes, the Agency is authorized and empowered under the Act to acquire, construct, reconstruct and install one or more "projects" (as defined in the Act), or to cause said projects to be acquired, constructed, reconstructed and installed, and to convey said projects or to lease said projects with the obligation to purchase; and

WHEREAS, pursuant to an application (the "Application") submitted to the Agency by West Bay Star, LLC (the "Company"), the members of the Agency, on July 7, 2021, adopted a resolution (the "Resolution") whereby the Agency preliminarily agreed, subject to numerous conditions, to consider undertaking a project (the "Project") consisting of the following: (A) (1) the acquisition of 2.80+/- acres of real property situate at 936 Taylor Road and the south side of Bodle Hill Road in the Town of Owego, County of Tioga and State of New York (the "Premises"), (2) site development on the Premises to include the demolition of a vacant building and the construction of site utilities, storm water management, paving, landscaping, and site lighting, together with the construction of an 18,000+/- square foot, two-story Article 28 compliant medical building to include medical office space, a clinical exam area, imaging, a lab, and a pharmacy drive thru (the "Facility"), and (3) the acquisition and installation in the Facility of certain machinery, equipment, furniture and fixtures (the "Equipment") (the Premises, the Facility and the Equipment being hereinafter collectively referred to as the "Project"), all of the foregoing to be utilized as a medical building with a parking lot consisting of 63 spaces, including four which are handicapped accessible, and any other directly or indirectly related activities; (B) the granting of certain "financial assistance" (within the meaning of Section 854(14) of the Act) with respect to the foregoing, including potential exemptions from sales and use taxes in an amount not to exceed \$176,000.00, mortgage tax in an amount not to exceed \$32,525.00, and real property taxes, including a deviation from the Agency's Uniform Tax Exemption Policy, in an amount not to exceed \$1,233,011.62 (collectively, the "Financial Assistance"); (C) the lease of the Project from the Company to the Agency; and (D) the lease of the Project from the Agency back to the Company or such other person(s) or entity(ies) as may be designated by the Company and agreed upon by the Agency; and

WHEREAS, in compliance with the provisions of Section 859-a of the Act, the Resolution indicated that the undertakings of the Agency contained therein are contingent upon the Agency making a determination to proceed with the Project following compliance by the Agency with the public notice and public hearing requirements set forth in Section 859-a of the Act; and

WHEREAS, pursuant to the authorization contained in the Resolution, the Chairperson of the Agency (A) caused notice of a public hearing of the Agency pursuant to Section 859-a of the Act (the "Public Hearing"), to hear all persons interested in the Project and the financial assistance being contemplated by the Agency with respect to the Project, to be mailed on July 12, 2021 to the chief executive officers of the county and of each city, town, village and school district in which the Project is to be located, (B) caused notice of the Public Hearing to be posted at the Town of Owego's Office at 2354 State Route 434, Apalachin, Tioga County, New York on July 12, 2021, (C) caused notice of the Public Hearing to be published on July 12, 2021 in *The Press and Sun Bulletin*, a newspaper of general circulation available to residents of the Town of Owego, (D) conducted the Public Hearing on July 28, 2021 at 5:00 o'clock p.m., local time, in the Economic Development & Planning conference room in the Ronald E. Dougherty County

Office Building in the Town of Owego, Tioga County, New York, and (E) prepared a report of the Public Hearing (the "Report") which fairly summarized the views presented at said Public Hearing and distributed same to the members of the Agency; and

WHEREAS, pursuant to Article 8 of the Environmental Conservation Law, Chapter 43-B of the Consolidated Laws of New York, as amended, and the regulations adopted pursuant thereto by the Department of Environmental Conservation of the State of New York (collectively, "SEQRA"), the Agency has determined that the Project constitutes an "unlisted action" that will not have a "significant effect on the environment" (as such quoted terms are defined in SEQRA); and

WHEREAS, in order to complete the documentation necessary to consummate the aforesaid Project described in the Notice of the Public Hearing, the Agency proposes to enter into the following documents (hereinafter collectively referred to as the "Agency Documents"):

(A) a lease agreement (and a memorandum thereof) (the "Lease Agreement") by the Company to the Agency, pursuant to which, among other things, the Agency acquires an interest in the Project;

(B) a leaseback agreement (and a memorandum thereof) (the "Leaseback Agreement") by the Agency to the Company, pursuant to which, among other things, the Company agrees to undertake and complete the Project as agent of the Agency and the Company further agrees to lease the Project from the Agency and, as rental thereunder, to pay the Agency's administrative fee relating to the Project and to pay all expenses incurred by the Agency with respect to the Project;

(C) a payment-in-lieu-of-tax agreement, deviating from the Agency's Uniform Tax Exemption Policy, (the "Payment-in-Lieu-of-Tax Agreement") by and among the Company and the Agency, pursuant to which the Company agrees to make payments in lieu of taxes with respect to the Project as set forth in Exhibit "A" attached hereto; and

(D) a project agreement (the "Project Agreement") by and between the Company and the Agency;

(E) an agency agreement (the "Agency Agreement") authorizing the Company to act as the agent of the Agency for the purpose of the site development, construction and equipping of the Project;

(F) a sales and use tax exemption agreement exempting the Company from New York State and local sales and use tax for purchases related to the Project which would, otherwise, be subject to tax in an amount not to exceed \$176,000.00; and

(G) any and all documents necessary to effect this Project (the "Closing Documents").

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE TIOGA COUNTY INDUSTRIAL DEVELOPMENT AGENCY, AS FOLLOWS:

SECTION 1. The Agency hereby finds and determines that:

(A) By virtue of the Act, the Agency has been vested with all powers necessary and convenient to carry out and effectuate the purposes and provisions of the Act and to exercise all

powers granted to it under the Act; and

(B) The Project constitutes a “project,” as such term is defined in the Act; and

(C) The site development, construction and equipping of the Project and the lease of the Project by the Company to the Agency and the lease of the Project by the Agency back to the Company will promote and maintain the job opportunities, general prosperity and economic welfare of the citizens of Tioga County, New York and the State of New York and improve their standard of living; and

(D) The grant of enhanced benefits in the form of a deviation from the Agency’s Uniform Tax Exemption Policy are based upon the following findings:

- (i) The need for additional significant drivers of employment and economic activity within the Town of Owego, Tioga County area;
- (ii) The availability of the Project site for development;
- (iii) The current economic condition of Tioga County;
- (iv) The value of the proposed deviation from the Agency’s Uniform Tax Exemption Policy;
- (v) The impact that the Project and the proposed tax exemptions will have on the affected tax jurisdiction;
- (vi) The impact of the proposed Project on existing and proposed businesses and economic development in the Tioga County area;
- (vii) The amount of private sector investment in the Project;
- (viii) The opportunity to generate PILOT revenues for the taxing jurisdictions from the site far in excess of the revenues currently generated;
- (viii) The additional sources of revenue that will be provided for the taxing jurisdictions by the Project; and
- (ix) The extent to which the Project will provide an economic benefit not otherwise available within the Town of Owego and County of Tioga.

(E) Having reviewed the Report of the Public Hearing and having fully considered all comments contained therein, the Agency hereby further determines that it is desirable and in the public interest for the Agency to proceed with the Project and enter into the Agency Documents.

SECTION 2. In consequence of the foregoing, the Agency hereby determines to: (A) proceed with the Project; (B) acquire the Project from the Company pursuant to the Lease Agreement; (C) develop the site, construct and equip the Project, or cause the Project to be developed, constructed and equipped; (D) lease the Project back to the Company pursuant to the Leaseback Agreement between the Agency and the Company pursuant to which, among other things, the Company shall be obligated (1) to pay all costs incurred by the Agency with respect to the Project, including all costs of operation and maintenance, unpaid insurance premiums, all

taxes and other governmental charges, any required payments in lieu of taxes, and the reasonable fees and expenses incurred by the Agency with respect to or in connection with the Project, (2) to comply with the provisions of the Act applicable to beneficiaries of financial assistance from the Agency; and (3) enter into the Payment-in-Lieu-of-Tax Agreement deviating from the Agency's Uniform Tax Exemption Policy.

SECTION 3. The Agency is hereby authorized to acquire (A) a leasehold interest in the Project pursuant to the Lease Agreement from the Company to the Agency, and (B) title to the Equipment pursuant to a bill of sale (the "Bill of Sale") by the Company to the Agency and to do all things necessary or appropriate for the accomplishment thereof, and all acts heretofore taken by the Agency with respect to such acquisitions are hereby approved, ratified and confirmed.

SECTION 4. The Agency is hereby authorized to develop, construct and equip the Project described in the Lease Agreement and to do all things necessary or appropriate for the accomplishment thereof, and all acts heretofore taken by the Agency with respect to such site development, construction and equipping are hereby approved, ratified and confirmed.

SECTION 5. The form and substance of the Agency Documents (in substantially the forms presented to this meeting) are hereby approved.

SECTION 6. The Chairperson, Vice Chairperson, or Secretary of the Agency are hereby authorized, on behalf of the Agency, to execute and deliver the Agency Documents and, where appropriate, the Secretary of the Agency is hereby authorized to affix the seal of the Agency thereto and to attest the same, all in substantially the forms thereof presented to this meeting, with such changes, variations, omissions and insertions thereto as the Chairperson, Vice Chairperson, or Secretary shall approve, the execution thereof by the Chairperson, Vice Chairperson, or Secretary to constitute conclusive evidence of such approval.

SECTION 7. The officers, employees and agents of the Agency are hereby authorized and directed for, and in the name and on behalf of the Agency, to do all acts and things required or provided for by the provisions of the Agency Documents, and to execute and deliver all such additional certificates, instruments and documents, to pay all such fees, charges and expenses and to do all such further acts and things as may be necessary or, in the opinion of the officer, employee or agent acting, desirable and proper to effect the purposes of the foregoing Resolution and to cause compliance by the Agency with all of the terms, covenants and provisions of the Agency Documents binding upon the Agency.

SECTION 8. This Resolution shall take effect immediately.

The question of the adoption of the foregoing Resolution was duly put to a vote on roll call, which resulted as follows:

Jenny Ceccherelli	voting	_____
Kevin Gillette	voting	_____
Martha Sauerbrey	voting	_____
Aaron Gowan	voting	_____
Tracy Monell	voting	_____
Eric Knolles	voting	_____
Jonathan Weed	voting	_____

The Resolution was thereupon declared duly adopted.

STATE OF NEW YORK:

COUNTY OF TIOGA : ss.:
:

I, the undersigned Chairperson of the Tioga County Industrial Development Agency (the "Agency"), DO HEREBY CERTIFY that I have compared the annexed extract of the minutes of the meeting of the Agency, including the Resolution contained therein, held on August 4, 2021, with the original thereof on file in my office, and that the same is a true and correct copy of said original and of the whole of such proceedings of the Agency and of such Resolution set forth therein and insofar as the same relates to the subject matters therein referred to.

I FURTHER CERTIFY that (A) all members of the Agency had due notice of said meeting, (B) said meeting was in all respects duly held, (C) pursuant to Article 7 of the Public Officers Law (the "Open Meetings Law"), said meeting was open to the general public, and public notice of the time and place of said meeting was duly given in accordance with such Article 7, and (D) there was a quorum of the members of the Agency present throughout said meeting.

I FURTHER CERTIFY that, as of the date hereof, the attached Resolution is in full force and effect and has not been amended, repealed or rescinded.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the Agency this _____ day of _____, 2021.

Martha Sauerbrey
Secretary

(SEAL)

EXHIBIT "A"

(SEE ATTACHED PILOT DEVIATION SCHEDULE)

Exhibit A

West Bay Star LLC - Deviated PILOT Schedule

To commence upon completion of construction and project assessment by Town of Owego assessor

	PILOT Payment
Year 1	\$ 8,775.00
Year 2	\$ 9,477.00
Year 3	\$ 10,235.16
Year 4	\$ 11,053.97
Year 5	\$ 11,938.29
Year 6	\$ 12,893.35
Year 7	\$ 13,924.82
Year 8	\$ 15,038.81
Year 9	\$ 16,241.91
Year 10	\$ 17,541.27
Year 11	\$ 18,944.57
Year 12	\$ 20,460.13
Year 13	\$ 22,096.94
Year 14	\$ 23,864.70
Year 15	\$ 25,773.87
Year 16	\$ 27,835.78
Year 17	\$ 30,062.65
Year 18	\$ 32,467.66
Year 19	\$ 35,065.07
Year 20	\$ 37,870.28
Total	\$ 401,561.23

From: Fred Gage <fredgagesolar2020@gmail.com>
Sent: Tuesday, July 20, 2021 9:55 AM
To: Curtis, Christine <CurtisC@tiogacountyny.gov>
Subject: [EXTERNAL] Our Solar Project in Bethel, NY

Christine Curtis,

Thanks for taking the time to speak to me yesterday and addressing my concerns. The thing that is so confusing about the position that Tioga County IDA has taken is it is very contrary to most communities around New York State. We find most communities embrace our projects and realize how important green energy is to our planet. Equally important is the impact it has on the local farmer and their quest to save the family farm.

Here is the info from our press conference and ribbon cutting last week.

HUDSON VALLEY – Governor Cuomo spent part of Tuesday touting his clean energy agenda with the announcement that three gigawatts of solar have been installed across the state, enough to power more than half a million homes. Solar power has grown 2100 percent statewide since the initiative was unveiled in 2011, according to Cuomo’s office. Unlike most building materials now, solar has decreased in cost by 69 percent in the same period.

Tuesday’s announcement was used by Cuomo to advertise that New York is growing one of the strongest solar markets in the country, according to his statement. When combined with the projects that are under development, achieving this milestone represents 95 percent of Governor Cuomo’s goal to install six gigawatts of solar by 2025, as mandated in the Climate Leadership and Community Protection Act.

“The success of NY-Sun demonstrates we are on track to meeting our nation-leading energy goals while stimulating green job growth and economic recovery in communities across the state as part of our comprehensive plan to reimagine New York following the pandemic,” said Cuomo.

Lieutenant Governor Kathy Hochul was dispatched to Bethel on Tuesday to carry Cuomo’s message with NYSERDA President and CEO Doreen Harris and Peggy Flannery, Principal at Generate Capital. The three were at a ribbon-cutting for the largest community solar project in the Mid-Hudson region. The project, informally known as “17B”, located in the town of Bethel on the road leading to the site of the original 1969 Woodstock Music Festival, was developed by Delaware River Solar and is owned by Generate Capital, which jointly manages the site. It includes a 6.1-megawatt solar array that will produce 7.8 million kilowatt-hours of solar energy annually and is fully subscribed with 129

residences, small businesses, and non-profits. The project received over \$1 million from NYSERDA through the NY-Sun initiative.

Assembly Member Aileen Gunther said, “I am happy to see that the largest community solar project in the Mid-Hudson Region has been completed in Bethel. The Town of Bethel has always been at the forefront of sustainability and green energy, and this project will help to advance New York State’s green energy goals.” The lawmaker also said, “I look forward building upon this successful project and working to ensure that Sullivan County continues to lead the way to a cleaner and brighter future.”

Town of Bethel Supervisor Daniel Sturm said, “Bethel is proud to host this announcement of NYS’ accomplishments as a solar energy leader. This community solar array—the largest in the Mid-Hudson region—is an outgrowth of our town’s own leadership. In 2017, Bethel’s Town Board enacted a widely-praised solar energy law to encourage roof-top and ground-mounted solar installations while being protective of property rights and our area’s scenic beauty. And as both a Bronze-certified Climate Smart Community and designated Clean Energy Community, the Town of Bethel continues to work closely with NYSERDA on projects large and small to advance our own and the State’s sustainability goals.”

Fred Gage

530.392.2234