

**Tompkins County Industrial Development Agency
Board of Directors Meeting Final Minutes
November 14, 2018
2:30 PM
Tompkins County Legislative Offices
121 E. Court Street, Ithaca, NY**

Present: Rich John, Jennifer Tavares, Mike Sigler, John Guttridge, Laura Lewis, Martha Robertson, Leslyn McBean-Clairborne

Staff Present: Heather McDaniel, Ina Arthur, Russ Gaenzle (Harris Beach, PLLC)

Guests: Mark Macera (Longview/Ithacare), Rick Snyder

CALL TO ORDER

Rich John called the meeting of the **Tompkins County Industrial Development Agency** to order at 2:35 pm.

PRIVILEGE OF THE FLOOR

None.

ADDITIONS TO THE AGENDA

Rich John requested that the “new business” agenda items be considered first.

NEW BUSINESS

Longview/Ithacare PILOT Agreement Extension

Heather McDaniel introduced the agenda item. This request would be the second ten-year extension of the original 10-year PILOT agreement. The existing agreement calls for Longview to provide charitable services including housing and assisted living services to low income and indigent residents of Tompkins County in lieu of payment of real property taxes. The current PILOT agreement expires December 31, 2019. If the TCIDA board is agreeable to extending the PILOT agreement, this request would go to a public hearing.

Mark Macera addressed the board. He commented that Longview has existed since the 1970s and started as low income/elderly housing. The facility currently offers a range of services to residents and does not discriminate based on income.

Leslyn McBean-Clairborne asked how the value of services is calculated. Mr. Macera explained that the services and housing provided to the residents with no or very low income and for which the facility receives no outside reimbursement, is calculated and compared with the real property taxes. Each year a report is provided that shows that the value of charity care delivered has exceeded Longview’s real property tax liability.

Martha Robertson asked about the annual reports. Heather McDaniel explained that these reports have been received and reviewed administratively and that there are reports since 1999 when the first PILOT agreement went into effect.

The Board requested to see the reports. These will be provided. Ms. McBean-Clairborne asked for more background information from the applicant. Is there time before this needs to be finalized?

Ms. McDaniel stated that yes there is time as the tax status date is March 1, 2019.

John Guttridge asked if there are other PILOT agreements that deviate from the standard seven or ten year schedule.

Ms. McDaniel commented that, yes, there is precedent for PILOT agreements that differ from the "norm." She sighted PILOT agreements such as College Circle Apartments, Dryden Associates and INHS/201 Hancock.

Rich John asked why the facility does not have tax-exempt status. Mr. Macera stated that NYS legislation for housing for elderly does not allow it. Longview is not a healthcare facility, but rather a housing facility. It is possible that in the future this may change. He also commented that Longview's patio homes that are adjacent to the facility are fully taxable.

Mr. Macera was asked to return at the December Board meeting to present the additional requested information.

The TCIDA Board meeting was recessed at 2:55 PM to consider the TCDC Board agenda.

The TCIDA Board meeting was reopened at 3:10 PM

Local Labor reporting – Discussion

Ms. McDaniel began the discussion by outlining the current TCIDA Local Labor Policy. Projects subject to this policy are required to submit proof of requesting bids from local contractors and then, once the project construction is underway, to submit monthly reports on use of local labor. The local labor area is defined at Tompkins County and contiguous counties. Reports include workers names, the last 4 digits of their social security number, their zip code of residence, gross wages paid and hours worked. Administrative staff verifies local labor using the zip codes and then compiles the monthly reports with totals and percentages of local labor used (workers, wages and hours).

There have been requests from the City of Ithaca to have this information posted on the TCIDA website. Ms. McDaniel suggested that when a project is completed, a summary posted with the percentage of local labor used, wages paid and hours worked.

Mr. Guttridge asked if the reports could be broken down by trades. There is some possibility that this could be done, but it would be time consuming. It was suggested that the City might want to take this deeper dive into the reports.

The discussion will continue at next month's meeting.

CHAIR'S REPORT

Rich John reported that he attended the ground breaking of the Newfield I – III Solar projects and was very impressed.

Mr. John also reported that the Governance Committee of the TCIDA met virtually and has asked the IDA Counsel to review all policies and to report back to the committee.

Laura Lewis commented that the GreenStar ground breaking was also very exciting.

Mr. Guttridge asked about the Housing Policy component of the CIITAP Policy. This discussion will move forward in the New Year.

STAFF REPORT

Ms. McDaniel reported that 323T (housing project on the inlet) closed on financing and construction is underway.

She reported that the membership of GreenStar is pushing for more renewable efforts in the new grocery store. This is pushing costs of construction higher. The developer is trying to reduce the use of fossil fuels and may request the IDA increase the abatement to the enhanced energy incentive at a future meeting. The project likely will also qualify for the 10 year incentive based on financial need. As this would be a material change a new public hearing would have to take place.

Laura Lewis asked about the status of the Emmy's Organics project. Ms. McDaniel reported that issues with the soil have come up. A third party engineer will be taking a look at the issues.

APPROVAL OF MEETING MINUTES

Edits to the October 10, 2018 minute were suggested (typo's and one clarification).

Martha Robertson moved to approve the minutes from the October 10, 2018 Board meeting with discussed edit. Mike Sigler seconded the motion. The motion was approved 7-0.

OLD BUSINESS

2017 Project Report – Follow up on Job Creation

John Guttridge moved to take the meeting into executive session while discussing the 2017 project report due to possible litigation. A discussion of the Cayuga Power Plant will also be held during the executive session due to potential litigation. Jennifer Tavares seconded the motion. The motion was approved 7-0.

During executive session, Mike Sigler left the meeting.

Leslyn McBean-Clairborne moved to bring the meeting out of executive session. John Guttridge seconded the motion. The motion was approved 6-0.

A draft response from the board to the 2017 Project Report memo and clearer narrative will be developed by Rich John and Heather McDaniel and brought back to the next board meeting in December.

The meeting was adjourned at 4:45 pm.

Minutes were approved at December 12, 2018 Board meeting