

**Tioga County Industrial Development Agency
Board of Directors
December 5, 2007**

I. Call to Order and Introductions Chairperson A. Gowan called the meeting to order at 5:32 p.m.

II. Attendance

A. IDA Board Members: S. Thomas, W. Woods, R. Kelsey, W. Caloroso, A. Gowan and M. Roberts

Absent: M. Sauerbrey

B. Guests: J. Meagher, J. Stoke, D. Barton, S. Barbito-Lewis, J. Roman, and C. Haskell

III. Approval of Minutes (Bill Woods, Mike Roberts)

Aye- 6 Abstain- 0

Nay- 0 Carried

IV. Privilege of the Floor - NONE

V. Correspondence

A. Walker Freedom of Information request (attached) - acknowledged

B. D. Barton letter of response to J. Albrecht (attached) - acknowledged

VI. Financial Report (attached)

A. Community Bank expired CD's renewed with Community Bank at 4.5% (12 months)

B. Expiring Citizen's & Northern CD's

ACTION: Board requested LeeAnn Tinney email a report of all the CDs to each Board member, so laddering structure can be verified. Also, need to verify if these were all three-year CDs. (Ralph Kelsey, Sam Thomas)

Aye- 6 Abstain- 0

Nay- 0 Carried

Motion to accept the financial report as presented (Bill Caloroso, Bill Woods)

Aye- 6 Abstain- 0

Nay- 0 Carried

VII. Project update

A. $E = mt^3$

1. Mitchell property purchase update

Motion to affirm phone poll of board to allow for \$1,000 earnest money deposit, ordering of appraisal (not to exceed \$350.00) and ordering of environmental inspection (not to exceed \$1,000) of the property.

(Bill Caloroso, Ralph Kelsey)

Aye- 6 Abstain- 0

Nay- 0 Carried

Motion to authorize any officer to sign closing documents for the purchase of the Mitchell property upon review and approval by J. Meagher (Ralph Kelsey, Bill Woods)

Aye- 6 Abstain- 0

Nay- 0 Carried

Motion to accept C&S Engineers quote in the amount of \$11,500 for the additional service contract for survey and topographical work to the original contract in the amount of \$50,000. (Sam Thomas, Bill Woods)

Aye- 6 Abstain- 0

Nay- 0 Carried

2. Purchase price vs. County reimbursement discussion

ACTION: Joe Meagher will review the current agreement and draft an amended agreement to reflect the additional 2-acres thus making this an 87-acre site with the same formula for reimbursement.

VIII. Reports

A. Railroad

1. West Creek Road crossing gates/flashers vs. Park Settlement Road –

ACTION: Mike Roberts will inquire at the Public Works Legislative Committee meeting on 12/6/07 to determine who is responsible for clearing brush on this road to allow for better visibility. Board requested LeeAnn Tinney contact Steve May to determine rulings on flagging procedures.

2. Quarterly revenue charts (attached)- acknowledged

IX. Old Business

A. Public Authority Accountability Act

1. Audit Committee report (S. Thomas, W. Caloroso, R. Kelsey)- none
2. Governance Committee report (A. Gowan, R. Kelsey, W. Woods)- none

B. Millennium Pipeline Agreement status given by J. Meagher

Motion to allow an officer to sign the completed agreement (Sam Thomas, Bill Woods)

Aye- 6 Abstain- 0
Nay- 0 Carried

C. Berkshire property- assignment of gas rights opinion given by J. Meagher

X. New Business

A. NYSEDC IDA Section Conference, Jan. 23-24

Motion to allow L. Tinney to attend NYSEDC IDA Section 2-day Conference, IDA to pay for registration, lodging, meals and gas not to exceed \$600.00 and allow J. Stoke and D. Barton to attend the one-day session and pay for registration, one night lodging, and meals (Bill Woods, Sam Thomas). Transportation for Doug and Jeff will be via county vehicle.

Aye- 6 Abstain- 0
Nay- 0 Carried

B. CNYOG Entry Agreement Extension request (attached)

ACTION: Doug Barton will contact CNYOG regarding the Board's request for CNYOG to leave the entrance way they constructed as is upon their departure.

Motion to allow extension of CNYOG Entry Agreement as requested to June 30, 2008 in the amount of \$500.00 and request CNYOG leave the entrance way (culvert) they constructed. (Ralph Kelsey, Mike Roberts)

Aye- 6 Abstain- 0
Nay- 0 Carried

XI. Executive Session

Motion to move into Executive Session at 6:34 p.m. pursuant to Public Officers Law section 105 (Bill Woods, Mike Roberts)

Aye- 6 Abstain- 0
Nay- 0 Carried

Exit Executive Session at 7:00 p.m.

XII. Adjourned Chairperson A. Gowan adjourned the meeting at 7:00 p.m.

EXECUTIVE SESSION MEETING MINUTES
Industrial Development Agency

Date: 12/5/07

Time: 6:34 p.m.

On motion of Board Member Bill Woods seconded by Board Member Mike Roberts, the Board of Directors went into Executive Session to discuss:

1. Employment situation of a particular person

Motion to approve L. Tinney salary increase in the amount of 5% plus \$500.00 to her current base salary effective 1/1/08 (Bill Woods, Sam Thomas)

Aye- 6 Abstain- 0

Nay- 0 Carried

Motion to approve payment in the amount of \$50.00 to Cathy Haskell for secretarial services rendered for the December 5, 2007 board meeting. (Bill Woods, Mike Roberts)

Aye- 6 Abstain- 0

Nay- 0 Carried

Motion to exit Executive Session at 7:00 p.m.