


Tompkins County Industrial Development Agency

Administration provided by 

TOMPKINS COUNTY INDUSTRIAL DEVELOPMENT AGENCY BOARD OF DIRECTORS MEETING

**• Thursday, July 14, 2016 •
4:00 – 5:30 PM
Legislative Chambers
Governor Daniel D. Tompkins Building
121 E. Court Street, Ithaca NY**

AGENDA

- 1. CALL TO ORDER**
- 2. PRIVILEGE OF THE FLOOR**
- 3. BUSINESS**
 - Therm Inc. – Final Project Approval
 - Arrowhead – Request for Extension
 - 2Q 2016 Financial Update
- 4. STAFF REPORT**
- 5. APPROVAL OF MEETING MINUTES – June 9, 2016**
- 6. ADJOURNMENT**

Next Meeting: August 11, 2016

NOTICE OF PUBLIC HEARING ON PROPOSED FINANCING

NOTICE IS HEREBY GIVEN that a public hearing pursuant to §859-a of the New York General Municipal Law will be held by the Tompkins County Industrial Development Agency (the "IDA") on the 11th day of May, 2016, at 5:00 p.m. at the conference room of South Hill Business Campus, 950 Danby Road, Ithaca, New York, in connection with the following matter:

Therm, Incorporated (the "Company"), a New York State business corporation, its successors or designees, has requested that the IDA provide financial assistance for the following project: to construct and equip on real property already owned by the Company at 1000 Hudson Street Extension (tax parcel number 54.-2-1) in the Town of Ithaca, County of Tompkins ("the Property") an approximately 20,000-square-foot building to be used to increase machining capacity and consolidate Company operations by housing a unit of the Company that has been operating at another location ("the Improvements"); the Property and Improvements are collectively referred to as "the Facility."

The financial assistance contemplated by the IDA will consist generally of exemption from taxation expected to be claimed by the Company as a result of the IDA taking title to, possession or control (by lease, license or otherwise) of the Facility, or of the Company acting as an agent of the IDA, consisting of: (a) exemption from state and local sales and use tax with respect to the qualifying personal property portion of the Facility; (b) exemption from real estate transfer tax with respect to the transfer of the Facility or a portion thereof to the IDA; (c) exemption from mortgage recording tax with respect to any qualifying mortgage on the Facility, which exemption shall be offset, in part, by contractual payment in lieu of a portion of the mortgage recording tax; and (d) exemption from general real property taxation with respect to the Facility, which exemption shall be offset, in whole or in part, by contractual payments in lieu of taxes ("PILOT" payments) by the Company for the benefit of tax affected jurisdictions. The proposed exemption from real property taxation does not deviate from the IDA's Standard Tax Exemption schedule.

In accordance with §875(3) of the New York General Municipal Law, and if the Company's application is approved, any New York State and local sales and use tax exemption claimed by the Company and approved by the Agency in connection with the above-described project may be subject to recapture by the Agency under the terms and conditions set forth in §875(3) and as will be set forth in the Agent Agreement to be entered into by and between the Agency and the Company.

Members of the public are invited to review the project application containing an analysis of the costs and benefits of the proposed project at the IDA's office (401 East State/MLK Jr. Street, Suite 402B, Ithaca, New York) during regular business hours.


The IDA will, at the above-stated time and place, hear all persons with views in favor of or opposed to either the location or nature of the Project, or the proposed financial assistance being contemplated by the IDA. In addition, at, or prior to, such hearing, interested parties may submit to the IDA written materials pertaining to such matters.

A report of the hearing will be made available to the Tompkins County Industrial Development Agency Board of Directors. Approval of the financing by the IDA through its Board of Directors is necessary.

Dated: April _____, 2016

TOMPKINS COUNTY INDUSTRIAL DEVELOPMENT AGENCY

Tompkins County Industrial Development Agency

Administration provided by  **TCAD**

MINUTES OF PUBLIC HEARING

Therm

May 11, 2016

5:00 PM

South Hill Business Campus

950 Danby Road, Ithaca NY 14850

Present: Heather McDaniel, Martha Robertson, Rich John (TCIDA), Robert Sprole III (Therm)

1. Heather McDaniel called the public hearing to order at 5:01 PM
2. Public hearing notice was read.
3. Call for comments.
4. No comments were made.
5. The hearing was adjourned at 5:30 PM

**PB Resolution No. 2016-031: SEQR
Preliminary and Final Site Plan
Therm Incorporated – Manufacturing Expansion
1000 Hudson Street Extension
Tax Parcel No. 54.-2-1
Town of Ithaca Planning Board, June 21, 2016**

Moved by Linda Collins; seconded by Joseph Haefeli

WHEREAS:

1. This action is consideration of Preliminary and Final Site Plan Approval for the proposed Therm Incorporated Manufacturing Expansion project located at 1000 Hudson Street Extension, Town of Ithaca Tax Parcel No. 54-2-1, Light Industrial Zone. The proposal involves the construction of a new 20,000 +/- square foot manufacturing building along with associated access, utility, and drainage improvements. The project will also involve the demolition of an existing structure (Ceramics Building) to accommodate the new building. Therm Incorporated, Owner/Applicant; Adam M. Fishel, PE, CPESC, Marathon Engineering, Agent; and
2. This is a Type 1 Action, pursuant to the Town of Ithaca Code, Chapter 148- Environmental Quality Review; and
3. At its meeting on May 24, 2016, the Planning Board proposed to establish itself as Lead Agency to coordinate the environmental review of the above-referenced action, and on May 31, 2016, notified potential Involved and Interested agencies of its intent to serve as Lead Agency; and
4. The Planning Board, on June 21, 2016, has reviewed and accepted as adequate a Full Environmental Assessment Form (EAF) Part 1, submitted by the applicant, Parts 2 and 3 prepared by Town Planning staff, a set of plans titled “Site Development Plans for Therm Incorporated Manufacturing Expansion – 1000 Hudson Street Extension – Situated in: Town of Ithaca – Tompkins County – New York”, including a cover sheet, date stamped May 27, 2016, a Topographic Map, dated March 17, 2016, drawings C1.0, C2.0, C3.0, C4.0, C4.1, C5.0, C6.0, C7.0, C7.1, C7.2, and C8.0, dated April 6, 2016, and drawing C-9.0, dated May 19, 2016, prepared by Marathon Engineering and T.G. Miller P.C., building drawings titled “Elevations 1 & 2”, “Elevation 3”, “Elevation 4”, and “Wall Section”, date stamped May 27, 2016, and other application materials; and
5. The Town Planning staff has recommended a negative determination of environmental significance with respect to the proposed Site Plan Approval;

NOW THEREFORE BE IT RESOLVED:

That the Town of Ithaca Planning Board, having received no objections from other involved agencies, establishes itself as Lead Agency to coordinate the environmental review of the above-described proposal;

AND BE IT FURTHER RESOLVED:

That the Town of Ithaca Planning Board hereby makes a negative determination of environmental significance in accordance with Article 8 of the Environmental Conservation Law and 6 NYCRR Part 617 New York State Environmental Quality Review for the above referenced actions as proposed, based on the information in the Full EAF Part 1 and for the reasons set forth in the Full EAF Parts 2 and 3, and, therefore, a Draft Environmental Impact Statement will not be required.

Vote

Ayes: Wilcox, Collins, Haefeli, Bosak, Herleman



Arrowhead transfer approval

James Messenger <jim@messengerlaw.net>

Thu, Jul 7, 2016 at 10:25 AM

To: Mariette Geldenhuyslaw <mariette@geldenhuyslaw.com>

Cc: Eric Goetzmann <egoetzmann@triaxgroup.com>, "Heather D. McDaniel" <heatherm@tcad.org>

Dear Mariette: I spoke with Eric Goetzmann last night, and he dictated the message below for me to forward in advance of the next IDA meeting on July 14th at 4:00. Mr. Goetzmann will be there.

From Eric Goetzmann:

In order for Arrowhead to legally build the senior housing development (the "Project"), Arrowhead has to obtain a Final Mitigation Credit letter from the Army Corp of Engineers.

From the time Arrowhead last appeared before the IDA last August, it has diligently pursued the approval process with the US Army Corps of Engineers.

It was determined by Arrowhead's engineers that the best way to obtain final Army Corps approval was for Arrowhead to team up with The Upper Susquehanna Coalition and The Wetland Trust. Arrowhead. That was pursued and accomplished, and Arrowhead (together with those entities), purchased and began permitting a rare Inland Salt Marsh. Arrowhead was promised the first credit for that purchase. The rare Inland Salt Marsh had to be permitted under the Army Corps new requirements which entailed turning the newly created salt marsh into a permitted "Bank" which then could be used to mitigate other wetland mitigation. The "Bank - Salt Marsh Permit" was submitted for approval to the Corps in early 2015, and final approval was issued in April of 2016. Simultaneously, Arrowhead had to have its property delineated again by the Army Corps, because the Corps classifications of wetland had changed. While the "Bank" was in the process of being approved, Arrowhead worked with the Corps to finalize the negotiations of the quantity and quality of wetland mitigation that was going to be exchanged between the Army Corps and Arrowhead in order to obtain the required wetland permit.

Recently, Arrowhead obtained a letter from the Wetland Trust that the Bank had been approved by the Army Corps and that the one credit was provided to Arrowhead for its mitigation requirements. Arrowhead is now waiting for a final letter from the Army Corps stating that the "Inland Salt Marsh Bank" has been approved, that all credits have been affirmed, and that Arrowhead is fully complete in its obligations so it may move forward in building the project in Village of Lansing.

Arrowhead expects to receive the final Army Corps letter sometime soon.

Arrowhead respectfully request that the IDA extend the period of time for the issuance of a building permit and the commencement of construction of the housing component of the Project for up to an additional one year. It is estimated, based on final Corps approval, that Arrowhead would permit the project through the fall and into the winter months with the Village of Lansing, and construction could then begin next year. As you can see from the above, the

process has been diligently pursued but, unfortunately, has taken longer to get approved than we imagined at the time we last appeared before the IDA. The Army Corps, while not the fastest approving agency, is thorough and diligent in its important work. Thank you for your kind consideration and understanding. I look forward to meeting with you on July 14th to answer any questions you may have. Thank you. Eric Goetzmann

Mariette, please feel free to contact me if you have any questions. Jim Messenger

James H. Messenger, Jr.

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**Tompkins County Industrial Development Agency
Quarter #2 Financial Report**

	2016 Budget	January - March 2016	April - June 2016
Starting Balance	\$ 543,623		
Income			
Fees from Projects	\$ 108,570		
Interest	\$ 250	\$ 94	\$ 53
Total	\$ 108,820	\$ 94	\$ 53
Expenses			
Administration	\$ 262,088	\$ 65,522	\$ 65,522
Energy Efficiency	\$ 19,998	\$ -	\$ 10,000
Energy Focus	\$ 19,998	\$ -	\$ 7,635
Food Processing Incubator Study	\$ 9,950	\$ -	
Attorney Fees	\$ 4,000	\$ -	
Audit	\$ 7,000	\$ 4,000	\$ 3,000
Total	\$ 323,034	\$ 69,522	\$ 86,157
Projected Ending Balance	\$ 329,409		

**Tompkins County Industrial Development Agency
Board of Directors Meeting Draft Minutes
June 9, 2016
Tompkins County Legislative Offices
121 E. Court Street, Ithaca, NY**

Present: Jim Dennis, Jennifer Tavares, Will Burbank, Martha Robertson, Rich John, Grace Chiang, Svante Myrick

Staff Present: Ina Arthur, Heather McDaniel, Mariette Geldenhuys

Guests Present: Ian Shapiro, Sara Culotta (Taitem Engineering), Ed Marx (TC Planning), Nels Bohn (IURA), Brian Noteboom (Local Carpenters Union), Sara Hess

CALL TO ORDER

Jim Dennis called the meeting of the **Tompkins County Industrial Development Agency** to order at 4:05 pm

PRIVILEGE OF THE FLOOR

None.

BUSINESS

Energy Efficiency Incentive Study - Presentation

The Energy Efficiency Incentive Study was jointly supported by the TCIDA and the TC Planning Department. Taitem Engineering was engaged to develop and carry out the study. Ian Shapiro and Sara Culotta presented how the study was done and some recommendations on incentives. A more detailed final study report will be sent to the IDA.

It was brought out that we know how to build energy efficient buildings. However, there is little incentive for developers to do so as the return on investment is low. Reducing the Energy Use Index (EUI) can be done with a lot of little improvements. For a developer reduce EUI, overall this means increasing the cost per square foot by \$15. The overall recommendations for incentives is a 9% increase in abatements – primarily in property tax.

It was recommended that EUI reduction could be certified by third party agencies – such as LEEDs, Passivhaus, and other means currently being used by NYSERDA.

Compliance with NYS IDA Legislation – Adoption/Approval

Ms. McDaniel presented changes to the current TCIDA/TCDC application as well as the Recapture Policy and a new Uniform Evaluation and Selection Criteria and Project Agreement documents. These changes and additions are recommended due to new NYS Legislation for IDA's that takes effect June 15th. If approved, they will bring all documents into compliance with the law as well as add some best practice details.

Jim Dennis moved to approve the changes to the TCIDA/TCDC Application and Recapture Policy. He also moved to approve the Uniform Evaluation and Selection Criteria and the Agency Project Agreement. Rich John seconded the motion.

There was discussion as to why sections had been moved, removed or updated. Changes and additions were made to 1) comply with the new law, 2) make the application more understandable to applicants, and 3) to streamline and clarify information gathered.

The motion was approved 7-0.

STAFF REPORT

Ms. McDaniel reported on the NYS OSC IDA Report for 2014.

MINUTES

Jennifer Tavares moved to approve the draft minutes from the May 12, 2016 TCIDA Board Meeting. Rich John seconded the motion. The motion passed 7-0.

The meeting was adjourned at 5:31 pm