

ECONOMIC DEVELOPMENT & PLANNING | INDUSTRIAL DEVELOPMENT AGENCY | LOCAL DEVELOPMENT CORPORATION

Tioga County Industrial Development Agency December 2, 2020 – 4:30 pm Ronald E Dougherty County Office Building 56 Main Street, Owego, NY 13827 Agenda

Call to Order and Introductions

Attendance

IDA Board Members Roll Call: J. Ceccherelli, K. Gillette, A. Gowan, T. Monell, M. Sauerbrey, E. Knolles, J. Ward

Knolles, J. Ward Absent: Excused: Guests: C. Curtis, M. Griffiths, J. Meagher, L. Tinney

Privilege of the Floor:

Approval of Minutes

A. November 4, 2020 Regular Meeting Minutes

Financials

- A. <u>Balance Sheet</u>
- B. Profit & Loss
- C. Transaction Detail

ED&P Update: L. Tinney

Project Updates: L. Tinney

- A. Owego Gardens II
 - 1. Suez Developer Agreements
 - B. CNYOG

Committee Reports: C. Curtis

- A. Public Authority Accountability Act (PAAA)
 - Audit Committee Report: A. Gowan, E. Knolles, J. Ward a. Annual Audit – Week of January 11th
 - Governance Committee: J. Ceccherelli, A. Gowan, E. Knolles
 a. <u>Procurement Policy</u>
 - 3. Finance Committee: J. Ceccherelli, A. Gowan, J. Ward a. Investment Policy: Site Development CD & Infrastructure CD
 - 4. Loan Committee: S. Thomas, A. Gowan, R. Kelsey, K. Dougherty, D. Barton, J. Ward, J. Ceccherelli
 - a. IRP Scope of Work Revision Approved by USDA
 - 5. Railroad Committee: M. Sauerbrey, K. Gillette, T. Monell a. Liability Insurance Quotes
 - b. Surface Transportation Board approval was issued
 - c. Closing anticipated week of 12/7/2020



ECONOMIC DEVELOPMENT & PLANNING | INDUSTRIAL DEVELOPMENT AGENCY | LOCAL DEVELOPMENT CORPORATION

PILOT Updates: C. Curtis

- A. Sales Tax Exemptions Update: C. Curtis
 - 1. V&S New York Galvanizing \$677,713.58/ Authorized \$771,000
 - 2. Best Buy \$644,569.19/ Authorized \$1,028,429
 - 3. Owego Gardens II <u>Sales Tax Exemption Extension Request</u>

Grant Updates: C. Curtis

- A. Ag Value Chain
- B. Broadband Study
 - 1. <u>STN TCIDA Agreement</u>
- C. Town of Richford FEMA Application Submitted 12-2-2020
- D. Monkey Run FEMA Application Pending
- E. ESD Owego Utilities Capital Project V&S water/sewer extension
 - 1. Reimbursement request submitted 11-4-2020; reimbursement forthcoming

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

Next Meeting: Wednesday January 6, 2020

Adjournment

ECONOMIC DEVELOPMENT & PLANNING

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INDUSTRIAL DEVELOPMENT AGENCY

LOCAL DEVELOPMENT CORPORATION

Tioga County Industrial Development Agency November 4, 2020 – 4:30 pm Ronald E Dougherty County Office Building 56 Main Street, Owego, NY 13827

Regular Meeting Minutes via Zoom

DRAFT

I. Call to Order and Introductions-Chairwoman J. Ceccherelli called the meeting to order at 4:34 pm

II. Attendance

IDA Board Members Roll Call: J. Ceccherelli, K. Gillette, A. Gowan, T. Monell, M. Sauerbrey, E. Knolles, J. Ward Absent: None Excused: None Guests: C. Curtis, M. Griffiths, J. Meagher, L. Tinney, M. Freeze

III. Privilege of the Floor: None

IV. Approval of Minutes

- A. October 21, 2020 Regular Meeting Minutes
- B. October 29, 2020 Loan Committee Minutes
 Motion to approve October 21, 2020 Regular Board Meeting minutes via Zoom, and October 29, 2020 Loan
 Committee Minutes, as written. (E. Knolles, K. Gillette)
 Aye-7

| Abstain |
|---------|
| Carried |
| |

V. Financials

- A. Balance Sheet
- B. Profit & Loss
- C. Transaction Detail

Motion to acknowledge financials, as presented. (E. Knolles, K. Gillette)

| Aye- 7 | Abstain-0 |
|--------|-----------|
| No-0 | Carried |

VI. ED&P Update: L. Tinney

ED&P Director Tinney stated that she would not provide an update, as she gave one just 2 weeks ago at the October 21, 2020 meeting.

VII. Project Updates: C. Curtis

A. Owego Gardens II-Ms. Tinney reported that the project is moving along and she has been working with the Public Service Commission (PSC) in order to assist in dealing with Suez. Ms. Tinney reported that the water pumps must be replaced with upgraded pumps and they are waiting on a cost estimate from Fagan Engineering. Ms. Tinney continued in saying that Fagan originally included pump replacement in their estimate, and therefore the new cost is not expected to be higher than the originally estimated cost. Fagan

will need to submit the design for the two new pumps and the pumphouse to the Department of Health for approval. In terms of the land closing, Ms. Tinney reported that a building permit has been issued, but several easements are needed. She expects the closing on the land to be in the next two weeks. She also reported that the stream relocation is still set to take place in January. Requests for Proposal will be put out in the beginning of December, with bids expected in mid December, and work beginning in January. The water tank work will take place in March. Ms. Tinney concluded with explaining PSC has been helpful in encouraging Suez to provide the necessary information to keep the project moving forward.

VIII. **Committee Reports: C. Curtis**

A. Public Authority Accountability Act (PAAA)

- 1. Audit Committee Report: A. Gowan, E. Knolles, J. Ward a. Nothing to report
- 2. Governance Committee: J. Ceccherelli, A. Gowan, E. Knolles
 - a. Nothing to report
- 3. Finance Committee: J. Ceccherelli, A. Gowan, K. Gillette
 - a. PARIS Budget submitted 10-22-2020
- 4. Loan Committee: S. Thomas, A. Gowan, R. Kelsey, K. Dougherty, D. Barton,
 - J. Ward, J. Ceccherelli
 - a. Recommend approval in the amount of \$20,000-Facade Loan-Mathew & Linda Laba

Motion to approve Façade Loan in the amount of \$20,000 to Mathew & Linda Laba. (A. Gowan, J. Ward)

| Aye-7 | Abstain-0 |
|-------|-----------|
| No-0 | Carried |

Carried

5. Railroad Committee: J. Ceccherelli, K. Gillette, T. Monell a. Nothing to report

IX. **PILOT Updates: C. Curtis**

- A. Sales Tax Exemptions Update: C. Curtis
 - 1. V&S New York Galvanizing \$677,458.78/ Authorized \$771,000-Ms. Curtis reported that V&S is completed with their construction and is working on finalizing their final report to be submitted by the end of the month.
 - 2. Best Buy \$618,042.88/ Authorized \$1,028,429-Ms. Curtis reported that both V&S and Best Buy reported their monthly sales tax exemptions and that they are both within their authorized limits.
- B. All 2020 PILOTs disbursed
- C. Annual Agency Fee

1. Project Policy Manual (pg. 6) & Agency Fee Schedule (pg. 41) revision-Ms. Curtis referenced last month's meeting discussion regarding the \$1,500 administrative fee to be assessed to any future PILOT agreements. Ms. Curtis referenced page 6 of the Project Policy Manual, where it states that "For certain transactions, as described on Schedule A, the IDA may require payment of an ongoing annual administrative fee." Ms. Curtis reported that Mr. Meagher indicated that this document does not need to be updated in order to charge the \$1,500 fee. However, Ms. Curtis reported that Mr. Meagher advised that they Agency Fee Schedule would need to be amended to include this annual agency fee for the life of the PILOT agreement. Ms. Curtis explained that after researching, Broome County IDA, Chemung County IDA, and Chenango County IDA all assess a \$1,500 annual administrative fee for their PILOT agreements, while Tompkins, Steuben, and Chenango Counties all do not charge any such fee. Mr. Gowan raised the question as to whether this new PILOT agreement would apply to the new PILOT for Central New York Oil and Gas (CNYOG). Ms. Tinney responded that Mr. Meagher advised that it would not apply to them, since they are not anticipated to receive a public benefit resulting from the new PILOT Agreement. Ms. Tinney also indicated it would not apply to Owego Gardens, since they too applied for their PILOT agreement before the amended fee structure was instituted. Ms. Sauerbrey clarified that this fee would apply to any brand new PILOT agreements, and the board came to a consensus to start the fee in 2021 for all brand new **PILOT** agreements.

Motion to amend the Agency Fee Schedule to reflect an annual \$1,500 administrative fee for the term of any new PILOT agreements, effective January 1, 2021. (M. Sauerbrey, E. Knolles)

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Aye-7
           No-0
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Abstain-0 Carried

D. CNYOG-Ms. Tinney reported that she has written a letter to be sent to the town, county and school outlining the situation with CNYOG. This letter will explain that it is recommended by the IDA and legal counsel to terminate the existing PILOT agreement and enter into a new PILOT agreement, with the new agreement only encompassing 2 properties. With the board all having read and approved of the letter, Ms. Tinney will send this out to the above entities.

X. Grant Updates: C. Curtis

- A. Ag Value Chain-Ms. Curtis reported that the Ag Value Chain study was ongoing.
- B. Broadband Study-Ms. Curtis reported that the Broadband study was ongoing.
- C. Town of Richford FEMA Application Due 12-2-2020-Ms. Curtis reported that this was in progress.
- D. Monkey Run FEMA Application Pending-Ms. Curtis reported that they were waiting to hear the decision of the grant application.
- E. ESD Owego Utilities Capital Project V&S water/sewer extension
 - 1. Reimbursement request submitted 11-4-2020-Ms. Curtis reported that the reimbursement request in the amount of \$300,000 was submitted 11-4-2020.
- Motion to move into Executive Session pursuant to Public Officers Law Section 105 at 4:48 pm to discuss financial matters, property acquisition, and personnel matters. (A. Gowan, E. Knolles).
 Motion to adjourn Executive Session at 4:56 pm (K. Gillette, E. Knolles)

XII. Next Meeting: Wednesday December 2, 2020

XIII. Adjournment-Mr. Gowan motioned to adjourn the meeting at 4:57 pm.

11/30/20

Accrual Basis

Tioga County Industrial Development Agency Balance Sheet As of November 30, 2020

| | Nov 30, 20 | Nov 30, 19 | \$ Change |
|--|--|--|--|
| TS | | | |
| Irrent Assets | | | |
| Checking/Savings Restricted Cash Accounts | | | |
| COVID-19 | 332,547.21 | 0.00 | 332,547.21 |
| Community- Facade Improvement | 147,786.96 | 102,894.24 | 44,892.72 |
| CCTC- Industrial Park | 9,706.03 | 11,995.37 | -2,289.34 |
| USDA Funds | | | |
| CCTC- Loan Loss Reserve | 40,461.86 | 40,443.25 | 18.61 |
| TSB- IRP 2016 (Formerly IRP 4) | 152,463.45 139,370.49 | 150,609.99 129,596.29 | 1,853.46 9,774.20 |
| TSB- RBEG TSB- marketing | 1.115.69 | 1,477.85 | -362.16 |
| - | | | |
| Total USDA Funds | 333,411.49 | 322,127.38 | 11,284.11 |
| Total Restricted Cash Accounts | 823,451.69 | 437,016.99 | 386,434.70 |
| CCTC- CDs Land Acquisition (879) | 545,414.33 | 534,542.01 | 10,872.32 |
| Capital Improvement (284) | 318,847.13 | 315,216.99 | 3,630.14 |
| | | | |
| Total CCTC- CDs | 864,261.46 | 849,759.00 | 14,502.46 |
| Temporarily Restricted Cash Acc | 81.35 | 84.35 | -3.00 |
| TSB-Owego Gardens TSB-Crown Cork and Seal | 105.67 | 105.67 | -3.00 |
| Community- BestBuy PILOT Acct. | 367.38 | 265.72 | 101.66 |
| | | | <u>_</u> |
| Total Temporarily Restricted Cash Acc | 554.40 | 455.74 | 98.6 |
| Unrestricted Cash Accounts | | | |
| TSB ICS | 1,863,155.56 | 2,154,036.90 | -290,881.34 |
| TSB- checking TSB- general fund | 92,125.19 25,691.59 | 151,629.68 125,610.85 | -59,504.49 -99,919.26 |
| - | | | |
| Total Unrestricted Cash Accounts | 1,980,972.34 | 2,431,277.43 | -450,305.0 |
| Total Checking/Savings | 3,669,239.89 | 3,718,509.16 | -49,269.2 |
| Other Current Assets | | | |
| COVID-19 ERLP | | | |
| C-7-A | 25,000.00 | 0.00 | 25,000.00 |
| C-6-A C-5-A | 60,000.00 | 0.00 0.00 | 60,000.00 |
| C-5-A C-4-A | 10,000.00 9,732.22 | 0.00 | 10,000.00 9,732.22 |
| C-4-A C-2-A | 14,285.83 | 0.00 | 14,285.83 |
| C-1-A | 23,659.71 | 0.00 | 23,659.71 |
| Total COVID-19 ERLP | 142,677.76 | 0.00 | 142,677.7 |
| Accounts Receivable 1300.01 | 395,041.19 | 730,888.89 | -335,847.7 |
| Allowance for Doubtful Accounts | -35,000.00 | -35,000.00 | 0.0 |
| Commercial Facade Loan Program | | | |
| Loan Rec - 2017-01-C | 27,500.00 | 35,000.00 | -7,500.00 |
| Loan Rec - 2018-03-C | 14,062.50 | 16,875.00 | -2,812.50 |
| Loan Rec - 2018-02-C | -540.73 | 1,066.50 | -1,607.23 |
| Loan Rec - 2018-01-C | 4,920.02 | 6,420.02 | -1,500.00 |
| Loan Rec - 2017-03-C | 4,320.00 | 7,070.00 | -2,750.00 |
| Loan Rec - 2017-02-C | 20,547.96 | 24,873.80 | -4,325.84 |
| Loan Rec - 2016-03-C Loan Rec - 2016-02-C | 6,563.16 12,500.24 | 9,297.96 21,527.96 | -2,734.80 -9,027.72 |
| Loan Rec - 2016-02-C | 12,500.24 -0.09 | 4,433.08 | -9,027.72 -4,433.17 |
| Loan Rec - 2015-06-C | 6,219.56 | 9,512.30 | -3,292.74 |
| Loan Rec - 2014-01-C | -0.20 | 1,525.66 | -1,525.86 |
| Loan Rec - 2015-05-C | 4,794.12 | 7,188.60 | -2,394.48 |
| Total Commercial Facade Loan Program | 100,886.54 | 144,790.88 | -43,904.3 |
| RBEG | | | |
| | | | -6,753.66 |
| Loan Rec - RBEG 2019 -06 | 70,511.72 | 77,265.38 | -, |
| | 70,511.72 | 77,265.38 | |
| Loan Rec - RBEG 2019 -06 | | | |
| Loan Rec - RBEG 2019 -06 Total RBEG IRP 4 | 70,511.72 | 77,265.38 | -6,753.6 |
| Loan Rec - RBEG 2019 -06 Total RBEG IRP 4 Loan Rec 2019-07-A | 70,511.72 39,260.81 | 77,265.38 | -6,753.6 39,260.81 |
| Loan Rec - RBEG 2019 -06 Total RBEG IRP 4 | 70,511.72 | 77,265.38 | -6,753.6 |
| Loan Rec - RBEG 2019 -06 Total RBEG IRP 4 Loan Rec 2019-07-A Loan Rec - 2019 - 06A | 70,511.72 39,260.81 88,141.96 | 77,265.38 0.00 96,581.70 | -6,753. 39,260.81 -8,439.74 |
| Loan Rec - RBEG 2019 -06 Total RBEG IRP 4 Loan Rec 2019-07-A Loan Rec - 2019 - 06A Loan Rec 2018-02-A | 70,511.72 39,260.81 88,141.96 7,014.62 | 77,265.38 0.00 96,581.70 8,157.89 | -6,753. 39,260.81 -8,439.74 -1,143.27 |
| Loan Rec - RBEG 2019 -06 Total RBEG IRP 4 Loan Rec 2019-07-A Loan Rec - 2019 - 06A Loan Rec 2018-02-A Loan Rec 2018-01-A | 70,511.72 39,260.81 88,141.96 7,014.62 62,893.11 | 77,265.38 0.00 96,581.70 8,157.89 65,578.56 | -6,753. 39,260.81 -8,439.74 -1,143.27 -2,685.45 |
| Loan Rec - RBEG 2019 -06 Total RBEG IRP 4 Loan Rec 2019-07-A Loan Rec - 2019 - 06A Loan Rec 2018-02-A Loan Rec 2018-01-A Loan Rec 2017-05-A | 70,511.72 39,260.81 88,141.96 7,014.62 62,893.11 7,906.68 | 77,265.38 0.00 96,581.70 8,157.89 65,578.56 11,915.17 | -6,753. 39,260.81 -8,439.74 -1,143.27 -2,685.45 -4,008.49 |
| Loan Rec - RBEG 2019 -06 Total RBEG IRP 4 Loan Rec 2019-07-A Loan Rec 2019 - 06A Loan Rec 2018-02-A Loan Rec 2018-01-A Loan Rec 2017-05-A Loan Rec 2017-05-A | 70,511.72 39,260.81 88,141.96 7,014.62 62,893.11 7,906.68 33,401.16 | 77,265.38 0.00 96,581.70 8,157.89 65,578.56 11,915.17 34,948.30 | -6,753. 39,260.81 -8,439.74 -1,143.27 -2,685.45 -4,008.49 -1,547.14 |
| Loan Rec - RBEG 2019 -06 Total RBEG IRP 4 Loan Rec 2019-07-A Loan Rec - 2019 - 06A Loan Rec 2018-02-A Loan Rec 2018-01-A Loan Rec 2017-05-A Loan Rec 2017-04-A Loan Rec 2017-03-A | 70,511.72 39,260.81 88,141.96 7,014.62 62,893.11 7,906.68 33,401.16 0.00 | 77,265.38 0.00 96,581.70 8,157.89 65,578.56 11,915.17 34,948.30 15,463.91 | -6,753.6 39,260.81 -8,439.74 -1,143.27 -2,685.45 -4,008.49 -1,547.14 -15,463.91 |
| Loan Rec - RBEG 2019 -06 Total RBEG IRP 4 Loan Rec 2019-07-A Loan Rec 2019 - 06A Loan Rec 2018-02-A Loan Rec 2018-01-A Loan Rec 2017-05-A Loan Rec 2017-05-A | 70,511.72 39,260.81 88,141.96 7,014.62 62,893.11 7,906.68 33,401.16 0.00 43,524.48 17,181.92 5,258.39 | 77,265.38 0.00 96,581.70 8,157.89 65,578.56 11,915.17 34,948.30 15,463.91 60,175.21 19,000.76 13,820.02 | -6,753.6 39,260.81 -8,439.74 -1,143.27 -2,685.45 -4,008.49 -1,547.14 -15,463.91 -16,650.73 -1,818.84 -8,561.63 |
| Loan Rec - RBEG 2019 -06 Total RBEG IRP 4 Loan Rec 2019-07-A Loan Rec 2019 - 06A Loan Rec 2018-02-A Loan Rec 2018-01-A Loan Rec 2017-05-A Loan Rec 2017-05-A Loan Rec 2017-03-A Loan Rec 2017-01-A Loan Rec 2017-01-A Loan Rec 2016-01-A Loan Rec 2009-02-A | 70,511.72 39,260.81 88,141.96 7,014.62 62,893.11 7,906.68 33,401.16 0.00 43,524.48 17,181.92 5,258.39 49,851.58 | 77,265.38 0.00 96,581.70 8,157.89 65,578.56 11,915.17 34,948.30 15,463.91 60,175.21 19,000.76 13,820.02 51,251.58 | -6,753.6 39,260.81 -8,439.74 -1,143.27 -2,685.45 -4,008.49 -1,547.14 -15,463.91 -16,650.73 -1,818.84 -8,561.63 -1,400.00 |
| Loan Rec - RBEG 2019 -06 Total RBEG IRP 4 Loan Rec 2019-07-A Loan Rec 2019 - 06A Loan Rec 2018-01-A Loan Rec 2018-01-A Loan Rec 2017-05-A Loan Rec 2017-05-A Loan Rec 2017-04-A Loan Rec 2017-02-A Loan Rec 2017-02-A Loan Rec 2017-01-A Loan Rec 2016-01-A Loan Rec 2009-02-A Total IRP 4 | 70,511.72 39,260.81 88,141.96 7,014.62 62,893.11 7,906.68 33,401.16 0.00 43,524.48 17,181.92 5,258.39 | 77,265.38 0.00 96,581.70 8,157.89 65,578.56 11,915.17 34,948.30 15,463.91 60,175.21 19,000.76 13,820.02 | -6,753.6 39,260.81 -8,439.74 -1,143.27 -2,685.45 -4,008.49 -1,547.14 -15,463.91 -16,650.73 -1,818.84 -8,561.63 -1,400.00 |
| Loan Rec - RBEG 2019 -06 Total RBEG IRP 4 Loan Rec 2019-07-A Loan Rec 2019 - 06A Loan Rec 2018-02-A Loan Rec 2018-01-A Loan Rec 2017-05-A Loan Rec 2017-05-A Loan Rec 2017-04-A Loan Rec 2017-04-A Loan Rec 2017-01-A Loan Rec 2017-01-A Loan Rec 2016-01-A Loan Rec 2009-02-A Total IRP 4 IRP 3 | 70,511.72 39,260.81 88,141.96 7,014.62 62,893.11 7,906.68 33,401.16 0.00 43,524.48 17,181.92 5,258.39 49,851.58 354,434.71 | 77,265.38 0.00 96,581.70 8,157.89 65,578.56 11,915.17 34,948.30 15,463.91 60,175.21 19,000.76 13,820.02 51,251.58 376,893.10 | -6,753.6 39,260.81 -8,439.74 -1,143.27 -2,685.45 -4,008.49 -1,547.14 -15,463.91 -16,650.73 -1,818.84 -8,561.63 -1,400.00 -22,458.3 |
| Loan Rec - RBEG 2019 -06 Total RBEG IRP 4 Loan Rec 2019-07-A Loan Rec 2019 - 06A Loan Rec 2018-01-A Loan Rec 2018-01-A Loan Rec 2017-05-A Loan Rec 2017-05-A Loan Rec 2017-04-A Loan Rec 2017-02-A Loan Rec 2017-01-A Loan Rec 2017-01-A Loan Rec 2016-01-A Loan Rec 2009-02-A Total IRP 4 | 70,511.72 39,260.81 88,141.96 7,014.62 62,893.11 7,906.68 33,401.16 0.00 43,524.48 17,181.92 5,258.39 49,851.58 | 77,265.38 0.00 96,581.70 8,157.89 65,578.56 11,915.17 34,948.30 15,463.91 60,175.21 19,000.76 13,820.02 51,251.58 | -6,753.6 39,260.81 -8,439.74 -1,143.27 -2,685.45 -4,008.49 -1,547.14 -15,463.91 -16,650.73 -1,818.84 -8,561.63 |

11/30/20

Accrual Basis

Tioga County Industrial Development Agency Balance Sheet As of November 30, 2020

| | Nov 30, 20 | Nov 30, 19 | \$ Change |
|--|----------------------------|----------------------------|--------------------------|
| IRP 2 Loan Rec 2011-03-A | 16,820.15 | 25,801.17 | -8,981.02 |
| Total IRP 2 | 16,820.15 | 25,801.17 | -8,981.02 |
| Total Other Current Assets | 1,061,131.23 | 1,341,453.24 | -280,322.01 |
| Total Current Assets | 4,730,371.12 | 5,059,962.40 | -329,591.28 |
| Fixed Assets | | | |
| Land- Mitchell Equipment | 58,453.51 | 58,453.51 | 0.00 |
| 2012 computer upgrade Equipment - Other | 1,436.88 264.00 | 1,436.88 264.00 | 0.00 0.00 |
| Total Equipment | 1,700.88 | 1,700.88 | 0.00 |
| Land- Cavataio | 2,500.00 | 2,500.00 | 0.00 |
| Land-general Land-Louns | 601,257.05 | 601,257.05 | 0.00 |
| Lopke Town of Nichols | 8,993.03 20,000.00 | 8,993.03 20,000.00 | 0.00 0.00 |
| Berry Hess | 2,452.20 259,561.43 | 0.00 259,561.43 | 2,452.20 0.00 |
| Land-Louns - Other | 139,612.53 | 139,612.53 | 0.00 |
| Total Land-Louns | 430,619.19 | 428,166.99 | 2,452.20 |
| Land 434 Railroad Improvements | 376,800.36 1,979,330.50 | 376,800.36 1,979,330.50 | 0.00 0.00 |
| Z Accumulated Depreciation | -1,197,077.10 | -1,175,790.43 | -21,286.67 |
| Total Fixed Assets | 2,253,584.39 | 2,272,418.86 | -18,834.47 |
| TOTAL ASSETS | 6,983,955.51 | 7,332,381.26 | -348,425.75 |
| LIABILITIES & EQUITY Liabilities | | | |
| Current Liabilities Other Current Liabilities | | | |
| Accrued Expenses | 453.05 | 462,389.00 | -461,935.95 |
| PILOT Payments Spencer-Tioga Solar | | | |
| School County | -45,284.51 -26,526.09 | 0.00 0.00 | -45,284.51 -26,526.09 |
| Town Spencer-Tioga Solar - Other | -17,789.40 89,600.00 | 0.00 0.00 | -17,789.40 89,600.00 |
| Total Spencer-Tioga Solar | 0.00 | 0.00 | 0.00 |
| Gateway Owego, LLC | | | |
| Village County | -505.41 -323.33 | 0.00 0.00 | -505.41 -323.33 |
| School Town | -744.23 -27.72 | 0.00 0.00 | -744.23 -27.72 |
| Gateway Owego, LLC - Other | 1,600.00 | -0.70 | 1,600.70 |
| Total Gateway Owego, LLC | -0.69 | -0.70 | 0.01 |
| Midwestern Pet Foods, Inc. | -0.31 | -0.63 | 0.32 |
| Crown Cork and Seal School | -193,696.44 | 0.00 | -193,696.44 |
| County & Recycle Town | -89,725.36 -16,578.20 | 0.00 0.00 | -89,725.36 -16,578.20 |
| Crown Cork and Seal - Other | 300,000.00 | -28.54 | 300,028.54 |
| Total Crown Cork and Seal | 0.00 | -28.54 | 28.54 |
| + · 231 Main Town/County Nichols Cross Dock | 0.00 | -0.01 | 0.01 |
| School | -2.60 | -4.66 | 2.06 |
| Total Nichols Cross Dock | -2.60 | -4.66 | 2.06 |
| Owego Gardens County & Recycle | -1,293.37 | 0.00 | -1,293.37 |
| Town | -110.90 | 0.00 | -110.90 |
| Village School | -2,021.72 -2,977.01 | 0.00 0.00 | -2,021.72 -2,977.01 |
| Owego Gardens - Other | 6,453.00 | 50.00 | 6,403.00 |
| Total Owego Gardens | 50.00 | 50.00 | 0.00 |
| School - 231 Main Street 231 Main Village | -0.45 -0.30 | -0.89 0.00 | 0.44 -0.30 |
| Tioga Downs Racetrack Village - Tioga Downs | -0.01 | 0.00 | -0.01 |
| School - Tioga Downs | -1.39 | -8.29 | 6.90 |
| Total Tioga Downs Racetrack | -1.40 | -8.29 | 6.89 |
| CNYOG School- CNYOG | -112.09 | 0.00 | -112.09 |
| | | | |

11/30/20

Accrual Basis

Tioga County Industrial Development Agency Balance Sheet As of November 30, 2020

| | Nov 30, 20 | Nov 30, 19 | \$ Change |
|---|---|---|--|
| CNYOG - Other | 0.00 | 274,657.22 | -274,657.22 |
| Total CNYOG | -112.09 | 274,657.22 | -274,769.31 |
| Rynone | 0.00 | 44.08 | -44.08 |
| Total PILOT Payments | -67.84 | 274,707.58 | -274,775.42 |
| Total Other Current Liabilities | 385.21 | 737,096.58 | -736,711.37 |
| Total Current Liabilities | 385.21 | 737,096.58 | -736,711.37 |
| Long Term Liabilities Tioga County COVID-19 ERLP Loan Pay- IRP 4 Loan Pay- IRP 3 Loan Pay- IRP 2 Loan Pay- IRP 1 | 475,000.00 212,507.33 162,859.99 123,432.31 61,543.98 | 0.00 222,620.13 192,027.10 123,432.31 61,543.98 | 475,000.00 -10,112.80 -29,167.11 0.00 0.00 |
| Total Long Term Liabilities | 1,035,343.61 | 599,623.52 | 435,720.09 |
| Total Liabilities | 1,035,728.82 | 1,336,720.10 | -300,991.28 |
| Equity Board Designated Funds 1110 · Retained Earnings Net Income Total Equity | 1,406,302.63 4,740,191.06 -198,267.00 5,948,226.69 | 1,406,302.63 4,770,371.71 -181,013.18 5,995,661.16 | 0.00 -30,180.65 -17,253.82 -47,434.47 |
| TOTAL LIABILITIES & EQUITY | 6,983,955.51 | 7,332,381.26 | -348,425.75 |

11/30/20

Accrual Basis

Tioga County Industrial Development Agency Profit & Loss

| January through | November 2020 |
|-----------------|---------------|
|-----------------|---------------|

| | Jan - Nov 20 | Jan - Nov 19 | \$ Change |
|---|-------------------|--------------------|----------------------|
| nary Income/Expense | | | |
| come | 47.50 | 0.00 | 47.50 |
| Bank Service Charge Refund Refund of Insurance | 0.00 | 788.00 | 47.50 -788.00 |
| Loan Interest Income | 0.00 | 788.00 | -700.00 |
| COVID-19 C-1-A | 102.77 | 0.00 | 102.77 |
| COVID-19 C-2-A | 31.25 | 0.00 | 31.25 |
| COVID-19 C-4-A | 20.83 | 0.00 | 20.83 |
| IRP 4 - 2019 - 06A | 3,387.72 | 1,643.95 | 1,743.77 |
| RBEG 2019 -06 | 2,708.31 | 1,315.18 | 1,393.13 |
| IRP 2 | _, | ., | ., |
| 2011-03-A | 711.40 | 1,447.63 | -736.23 |
| Total IRP 2 | 711.40 | 1,447.63 | -736.23 |
| IRP 3 | | | |
| 2007-08-A | 667.41 | 1,546.88 | -879.47 |
| Total IRP 3 | 667.41 | 1,546.88 | -879.47 |
| IRP 4 | | | |
| 2019-07-A | 868.56 | 0.00 | 868.56 |
| 2018-02-A | 175.62 | 326.31 | -150.69 |
| 2018-01-A | 1,527.61 | 2,131.42 | -603.81 |
| 2017-04-A | 769.80 | 1,484.22 | -714.42 |
| 2017-03-A | 211.63 | 341.21 | -129.58 |
| 2017-05-A | 166.44 | 329.64 | -163.20 |
| 2017-01-A | 301.58 | 462.73 | -161.15 |
| 2017-02-A | 1,189.10 | 1,417.93 | -228.83 |
| 2016-01-A | 438.99 | 821.76 | -382.77 |
| 2015-03-A | 0.00 | 185.89 | -185.89 |
| 2010-02-A | 0.00 | 148.01 | -148.01 |
| Total IRP 4 | 5,649.33 | 7,649.12 | -1,999.79 |
| Loan Interest Income - Other | 0.00 | 835.38 | -835.38 |
| Total Loan Interest Income | 13,279.02 | 14,438.14 | -1,159.12 |
| Loan Program Fee | | | |
| COVID-19 ERLP | 521.65 | 0.00 | 521.65 |
| Facade | 800.00 | 0.00 | 800.00 |
| IRP 4 | 0.00 | 1,950.00 | -1,950.00 |
| RBEG | 0.00 | 150.00 | -150.00 |
| Total Loan Program Fee | 1,321.65 | 2,100.00 | -778.3 |
| Loan Late Fee | | | |
| 2016-02-C | 145.81 | 0.00 | 145.81 |
| RBEG 2019-16 | 48.60 | 0.00 | 48.60 |
| IRP 4 2019-06-A | 60.74 | 0.00 | 60.74 |
| 2017-01-A | 0.00 | 10.00 | -10.00 |
| 2018-01-C | 10.00 | 5.00 | 5.00 |
| 2015-03 · 2015-03-A | 0.00 | 60.00 | -60.00 |
| Loan Late Fee - Other | 5.00 | 0.00 | 5.00 |
| Total Loan Late Fee | 270.15 | 75.00 | 195.15 |
| Loan Administrative Fee | 447.24 | 0.00 | 447.24 |
| 4110 · Grants | | | |
| Ag Value Chain | 8,745.00 | 0.00 | 8,745.00 |
| Waverly Trade Center DOT Grant | 0.00 | 10,880.00 | -10,880.00 |
| 4110 · Grants - Other | 232,500.00 | 465,000.00 | -232,500.00 |
| Total 4110 · Grants | 241,245.00 | 475,880.00 | -234,635.00 |
| | | | |
| Interest Income- | | | |
| Interest Income- Interest Income- TSB ICS Community- Facade Improvement | 7,288.50 23.10 | 20,084.94 38.04 | -12,796.44 -14.94 |

Tioga County Industrial Development Agency Profit & Loss January through November 2020

| | Jan - Nov 20 | Jan - Nov 19 | \$ Change |
|--------------------------------------|--------------|--------------|-------------|
| CCTC Loan Loss Reserve Account | | 18.46 | -1.62 |
| CCTC CD Land Acquisition (879) | 4,698.52 | 0.00 | 4,698.52 |
| Community- Lounsberry | 96.84 | 102.48 | -5.64 |
| TSB- checking | 237.77 | 638.33 | -400.56 |
| TSB-general fund | 72.21 | 91.92 | -19.71 |
| TSB- IRP 4 | 30.83 | 47.90 | -17.07 |
| TSB- RBEG | 27.77 | 44.85 | -17.08 |
| TSB- marketing | 0.31 | 0.41 | -0.10 |
| Total Interest Income- | 12,492.69 | 21,067.33 | -8,574.64 |
| Leases/Licenses | 13,013.40 | 11,507.00 | 1,506.40 |
| 4150 · Miscellaneous Income OHRy | 0.00 | 0.00 | 0.00 |
| freight | 93,131.80 | 97,004.20 | -3,872.40 |
| Total OHRy | 93,131.80 | 97,004.20 | -3,872.40 |
| 4170 · PILOT Program Fees | | | |
| V&S NY Galvanizing LLC | 0.00 | 84,131.50 | -84,131.50 |
| Gateway | 0.00 | 16,416.39 | -16,416.39 |
| Owego Garden - Home Leasing | 0.00 | 2,500.00 | -2,500.00 |
| Best Buy | 0.00 | 2,500.00 | -2,500.00 |
| Total 4170 · PILOT Program Fees | 0.00 | 105,547.89 | -105,547.89 |
| Sale of Property | 1,000.00 | 0.00 | 1,000.00 |
| Total Income | 376,248.45 | 728,407.56 | -352,159.11 |
| Expense | | | |
| IDA Paint Program | | | |
| 2019 · 2019 | 0.00 | 2,253.54 | -2,253.54 |
| Total IDA Paint Program | 0.00 | 2,253.54 | -2,253.54 |
| 66900 · Reconciliation Discrepancies | 0.00 | 0.00 | 0.00 |
| Grant Expense | | | |
| Ag Value Chain | 28,745.00 | 0.00 | 28,745.00 |
| Grant Expense - Other | 341,392.42 | 649,504.25 | -308,111.83 |
| Total Grant Expense | 370,137.42 | 649,504.25 | -279,366.83 |
| Marketing | 362.50 | 0.00 | 362.50 |
| Waverly Trade Center DOT Grant | 0.00 | 10,880.00 | -10,880.00 |
| Tioga Industrial Park | 2,289.34 | 0.00 | 2,289.34 |
| Education | | | |
| Haskell | 0.00 | 139.00 | -139.00 |
| Curtis | 530.00 | 224.00 | 306.00 |
| Education - Other | 0.00 | 50.00 | -50.00 |
| Total Education | 530.00 | 413.00 | 117.00 |
| Loan Admin Fee | | | |
| IRP 4 | 1,143.13 | 0.00 | 1,143.13 |
| Total Loan Admin Fee | 1,143.13 | 0.00 | 1,143.13 |
| Loan Program Expense | | | |
| COVID-19 ERLP | 137.30 | 0.00 | 137.30 |
| IRP 4 | 0.00 | 45.00 | -45.00 |
| Loan Program Expense - Other | 221.55 | 60.00 | 161.55 |
| Total Loan Program Expense | 358.85 | 105.00 | 253.85 |
| 6120 · Bank Service Charges | | | |
| Check order | | | |
| TSB IRP 4 | 15.00 | 57.30 | -42.30 |
| | | | |

11/30/20

Accrual Basis

Tioga County Industrial Development Agency Profit & Loss January through November 2020

| | Jan - Nov 20 | Jan - Nov 19 | \$ Change |
|---|--|--|---|
| TSB RBEG | 25.00 | 57.30 | -32.30 |
| Total Check order | 40.00 | 114.60 | -74.60 |
| 6120 · Bank Service Charges - Other | 71.50 | 60.00 | 11.50 |
| Total 6120 · Bank Service Charges | 111.50 | 174.60 | -63.10 |
| Copies 6160 · Dues and Subscriptions Employee benefit IRA Company Match | 0.00 1,135.00 1,246.08 | 489.40 1,785.00 1.275.04 | -489.40 -650.00 -28.96 |
| IRA | 0.00 | 0.00 | 0.00 |
| Total Employee benefit | 1,246.08 | 1,275.04 | -28.96 |
| 6180 · Insurance WC (Utica) Travel/Accident (Hartford) D & O (Philadelphia Ins. Co) 6190 · Disability (First Rehab Life) Employee Health (SSA) | 622.00 750.00 4,203.00 243.27 5,057.21 | 663.00 750.00 3,292.00 157.04 4,377.10 | -41.00 0.00 911.00 86.23 680.11 |
| 6185 · Property & Liability (Dryden) RR Liability (Steadfast) WC (Amtrust) | 10,678.20 25,529.80 | 9,860.13 19,923.84 788.00 | 818.07 5,605.96 -788.00 |
| Total 6180 · Insurance | 47,083.48 | 39,811.11 | 7,272.37 |
| 6200 · Interest Expense | 5,996.23 | 6,385.15 | -388.92 |
| 6240 · Miscellaneous 6550 · Office Supplies | 119.07 | 602.66 | -483.59 |
| other 6550 · Office Supplies - Other | 0.00 0.00 | 173.32 1,476.56 | -173.32 -1,476.56 |
| Total 6550 · Office Supplies | 0.00 | 1,649.88 | -1,649.88 |
| 6560 · Payroll Expenses Payroll Expenses - HSA 6560 · Payroll Expenses - Other | 1,650.00 43,672.94 | 1,350.00 39,006.11 | 300.00 4,666.83 |
| Total 6560 · Payroll Expenses | 45,322.94 | 40,356.11 | 4,966.83 |
| 6250 · Postage and Delivery 6270 · Professional Fees | 27.45 | 128.84 | -101.39 |
| Ag Ec Dev Specialist Position Administrative Services Tinney, M Haskell Tinney | 15,000.00 2,100.00 7,750.00 23,375.00 | 4,131.00 3,200.00 7,750.00 21,250.00 | 10,869.00 -1,100.00 0.00 2,125.00 |
| Total Administrative Services | 33,225.00 | 32,200.00 | 1,025.00 |
| 6650 · Accounting Jan Nolis | 2,520.00 | 3,471.25 | -951.25 |
| 6650 · Accounting - Other | 7,000.00 | 12,500.00 | -5,500.00 |
| Total 6650 · Accounting | 9,520.00 | 15,971.25 | -6,451.25 |
| 6655 · Consulting | 0.00 | 2,500.00 | -2,500.00 |
| 6280 · Legal Fees Special Project Fees 6280 · Legal Fees - Other | 0.00 28,514.95 | 18,000.00 37,002.90 | -18,000.00 -8,487.95 |
| Total 6280 · Legal Fees | 28,514.95 | 55,002.90 | -26,487.95 |
| 6270 · Professional Fees - Other | 0.00 | 8,744.94 | -8,744.94 |

11/30/20

Accrual Basis

Tioga County Industrial Development Agency Profit & Loss January through November 2020

| | Jan - Nov 20 | Jan - Nov 19 | \$ Change |
|--------------------------------------|--------------|--------------|-------------|
| Total 6270 · Professional Fees | 86,259.95 | 118,550.09 | -32,290.14 |
| 6670 · Program Expense | | | |
| Water Tower | 8,640.79 | 30,547.25 | -21,906.46 |
| Total 6670 · Program Expense | 8,640.79 | 30,547.25 | -21,906.46 |
| Property Taxes | | | |
| Stanton Hill 9.64A Town Lot | 234.97 | 0.00 | 234.97 |
| 96 · Smith Creek Rd | 256.00 | 181.63 | 74.37 |
| 540 · Stanton Hill | 177.83 | 21.03 | 156.80 |
| Spring St | 0.26 | 0.25 | 0.01 |
| Berry Road (47) | 149.85 | 106.32 | 43.53 |
| Carmichael Road | 4.43 | 3.95 | 0.48 |
| Smith Creek Road | 24.90 | 17.66 | 7.24 |
| Glenmary Drive | 10.49 | 11.03 | -0.54 |
| Metro Road | 8.74 | 9.19 | -0.45 |
| Total Property Taxes | 867.47 | 351.06 | 516.41 |
| Real Estate Taxes | 0.00 | 2,357.00 | -2,357.00 |
| 6770 · Supplies | 1,419.20 | 823.90 | 595.30 |
| 6340 · Telephone | 0.00 | 240.06 | -240.06 |
| 6350 · Travel & Ent | | | |
| 6380 · Travel | 0.00 | 556.96 | -556.96 |
| 6350 · Travel & Ent - Other | 1,513.52 | 180.84 | 1,332.68 |
| Total 6350 · Travel & Ent | 1,513.52 | 737.80 | 775.72 |
| Total Expense | 574,563.92 | 909,420.74 | -334,856.82 |
| Net Ordinary Income | -198,315.47 | -181,013.18 | -17,302.29 |
| Other Income/Expense Other Income | | | |
| Interest Income - TSB COVID19 | 48.47 | 0.00 | 48.47 |
| Total Other Income | 48.47 | 0.00 | 48.47 |
| Net Other Income | 48.47 | 0.00 | 48.47 |
| Net Income | -198,267.00 | -181,013.18 | -17,253.82 |

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11/30/20

Accrual Basis

Tioga County Industrial Development Agency Transaction Detail

November 2020

| Туре | Date | Num | Name | Memo | Amount |
|----------------------------------|--------------------------------|--------------|--|--|------------------------|
| Restricted Cash Acco COVID-19 | unts | | | | |
| Deposit | 11/03/2020 | | | Loan Pmt | 288.61 |
| Deposit | 11/06/2020 | | | Loan Pmt | 745.42 |
| Deposit | 11/25/2020 | | | Loan Pmts | 1,464.71 |
| Total COVID-19 | | | | | 2,498.74 |
| Community- Facad | le Improvement | | | | |
| Deposit | 11/03/2020 | | | Loan Pmts | 665.17 |
| Deposit | 11/03/2020 | | | Loan Pmt | 625.00 |
| Deposit | 11/06/2020 | | | Commitment Fee | 200.00 |
| Deposit | 11/12/2020 | | | Loan Pmts Loan Pmts & Commitment Fee | 462.50 |
| Deposit Deposit | 11/23/2020 11/30/2020 | | | Loan Prits & Comminnent Fee | 1,214.21 2,124.98 |
| · | | | | Loan Fints | |
| Total Community- F | acade improveme | ent | | | 5,291.86 |
| USDA Funds | (Formerly IRP 4) | | | | |
| Deposit | (Formerly IRP 4) 11/03/2020 | | | Loan Pmt | 420.00 |
| Deposit | 11/06/2020 | | | Loan Pmts | 420.00 |
| Deposit | 11/06/2020 | | | Loan Pmt | 321.55 |
| Deposit | 11/10/2020 | | | Loan Pmt | 559.08 |
| Deposit | 11/12/2020 | | | Loan Pmt | 1,012.45 |
| Deposit | 11/23/2020 | | | Loan Pmt | 1,088.88 |
| Total TSB- IRP 2 | 2016 (Formerly IF | RP 4) | | | 3,841.96 |
| TSB- RBEG | | | | | |
| Deposit | 11/12/2020 | | | Loan Pmt | 809.96 |
| Total TSB- RBE | G | | | | 809.96 |
| Total USDA Funds | | | | | 4,651.92 |
| Total Restricted Cash A | Accounts | | | | 12,442.52 |
| Unrestricted Cash Acc | counts | | | | |
| TSB- checking Check | 11/05/2020 | 6576 | Thomas Callinon & Maarbar | Services Oct 2020 | 2 565 00 |
| Check | 11/05/2020 11/05/2020 | 6576 6577 | Thomas, Collison & Meagher Thomas, Collison & Meagher | Services Oct 2020 Services Sep 2020 | -2,565.00 -4.027.50 |
| Check | 11/05/2020 | 6578 | Jenny Ceccherelli | Rfnd Florist Pmt for C. Haskell Appreciation | -4,027.30 -119.07 |
| Check | 11/05/2020 | 6579 | Greater Valley Chamber of Commerce | 2021 Membership Dues | -75.00 |
| Check | 11/05/2020 | 6580 | LeeAnn Tinney | Nov 2020 Professional Services | -2,125.00 |
| Check | 11/06/2020 | X | NYS Division of the Treasury | Oct 2020 State Tax Deposit | -135.72 |
| Check | 11/11/2020 | 6581 | Christine E Curtis | Pay Period: 10/25/2020-11/7/2020 | -1,311.44 |
| Check | 11/12/2020 | 6582 | Tioga County | IT Inv#3454 Annual 2020 Shared Services | -649.47 |
| Check | 11/12/2020 | 6583 | Madison Tinney. | July-Oct 2020 | -300.00 |
| Check | 11/12/2020 | 6584 | Factual Data | Inv 1754335 Customer No 837909996 | -18.05 |
| Check | 11/12/2020 | 6585 | Tioga County | IT Inv#3463 Nov Verizon | -40.01 |
| Check | 11/16/2020 | Х | EFTPS 941 Tax Payment | Oct 2020 Federal Tax Deposit | -781.96 |
| Deposit | 11/23/2020 | | | OHRY | 12,909.65 |
| Check | 11/24/2020 | 6586 | Excellus Health Plan | Dec 2020 Inv 26638813 | -461.95 |
| Check | 11/24/2020 | 6587 | Christine Curtis | Nov HSA | -150.00 |
| Check | 11/25/2020 | 6588 | Christine E Curtis | Pay Period: 11/8/2020-11/21/2020 | -1,311.44 |
| Check | 11/25/2020 | 6589 | Franklin Templeton | Nov 2020 Simple IRA - C. Curtis | -207.68 |
| Check | 11/30/2020 | 6590 | KK&P | Ag Value Chain Consultation Invoice 3964 | -10,000.00 |
| Total TSB- checking |) | | | | -11,369.64 |
| Total Unrestricted Cash | Accounts | | | | -11,369.64 |

TOTAL

1,072.88

Agreement for Feasibility Study to Determine Service Needs on Behalf of Tioga County

The Agreement is made between the TIOGA COUNTY INDUSTRIAL DEVELOPMENT AGENCY a local authority organized and existing under and by virtue of the laws of the State of New York and having its principal offices at 56 Main Street, Owego, New York 13827, hereinafter "TCIDA", and SOUTHERN TIER NETWORK INC., a third party non-profit open access Telecommunications Company and having its principal offices at 8 Denison Parkway East, Suite 310, Corning NY 14830, hereinafter "STN".

WITNESSETH:

WHEREAS: The TCIDA is desirous of contracting with a consultant for the purposes of obtaining a Feasibility Study to address insufficient access to broadband services primarily in rural areas and to present options to serve the unserved or underserved areas of the county with ultra-high speed broadband services; and

WHEREAS the Feasibility Study shall mean the study to be completed by a selected telecommunications consultant to determine the county broadband Default Service as a last mile (primarily FTTx) fiber access infrastructure provided by the Distribution Utility to providers who are interested in offering high speed broadband services. The Feasibility Study will identify the need areas, projected cost and financial models, business and partner structures, technology and design architecture, business and network operating plans; and

WHEREAS the TCIDA authorizes STN, designated as the Distribution Utility, to retain and lead the work of the telecommunications consultant to deliver the Feasibility Study; and

WHEREAS the TCIDA has reviewed and approved the Scope of the Feasibility Study and all parties are desirous of setting forth the terms and conditions of the services to be provided;

NOW, THEREFORE, IT IS AGREED BY AND BETWEEN THE PARTIES AS FOLLOWS:

1. Term of Contract

The effective term of this agreement is from October 26, 2020 to June 1, 2021.

2. Payments for Services

The TCIDA portion for work provided is anticipated at least in the amount of \$65,397 and not to exceed \$80,000.

Upon completion and delivery of the Feasibility Study by the Distribution Utility, TCIDA shall, within thirty (30) days, reimburse the Distribution Utility for TCIDA's share of the cost of the Feasibility Study.

This Agreement shall commence upon the Effective Date and expire on the earlier of completion of the Feasibility Study, or as mutually agreed by the parties.

3. Applicable Law: This contract shall be governed by the laws of the State of New York. The venue of any dispute resolution shall be Tioga County.

4. Amendments: This agreement may not be amended except by written agreement by the parties.

IN WITNESS WHEREOF, the parties have hereunto signed this Agreement on the day and year appearing opposite their signatures.

TIOGA COUNTY INDUSTRIAL DEVELOPMENT AGENCY

By:_____ Date:_____

Print Name: LeeAnn Tinney

SOUTHERN TIER NETWORK, INC.

_____ Date: 10/26/20 By: $\leq \zeta$ 0

Print Name: <u>S. M. Manning</u>