



GGLDC Audit & Finance Committee Meeting

Tuesday, February 1, 2022

Location – Electronically

8:30 a.m.

MINUTES

ATTENDANCE

Committee Members: D. Cunningham, T. Felton, P. Battaglia, T. Bender
Staff: L. Farrell, M. Masse, L. Casey, J. Krencik, S. Hyde, P. Kennett
Guests: M. Gray (GCEDC Board Member), P. Zeff (GCEDC/GGLDC Board Member),
Absent:

1. CALL TO ORDER / ENTER PUBLIC SESSION

D. Cunningham called the meeting to order at 9:03 a.m. via conference call / video conference.

Governor Kathy Hochul signed legislation (S.50001 / A.40001) on September 2, 2021 extending virtual access to public meetings under NYS's Open Meetings Law, which allows virtual participation in local government meetings during the COVID-19 pandemic. This meeting is being held electronically via conference call / video conference instead of a public meeting open for the public to attend in person.

2. CHAIRMAN'S REPORT & ACTIVITIES

2a. Agenda Additions / Other Business – Nothing at this time.

2b. Minutes: January 11, 2022

T. Felton made a motion to recommend approval of the January 11, 2022 minutes; the motion was seconded by T. Bender. Roll call resulted as follows:

T. Felton - Yes
P. Battaglia - Yes
T. Bender - Yes
D. Cunningham – Yes

The item was approved as presented.

3. DISCUSSIONS / OFFICIAL RECOMMENDATIONS TO THE BOARD:

3a. D & O Insurance Renewal - Lawley Insurance has provided us with a proposal for renewal of our current Directors & Officers/Employment Practices Liability Insurance with Travelers. The renewal price reflects an overall price increase of \$7,194 (\$3,597/entity) compared to the current policy. The current policy expires on 2/23/2022. The increase in premium is due to the recent claim, claim activity in the marketplace, and addition of the Water and Sewer Works Transportation Corporations. The cost of this

policy would be split between GCEDC and GGLDC (\$9,093/entity). Each entity has included \$5,850 in their 2022 budget for this expense.

T. Bender made a motion to recommend to the full Board the approval of the D & O Insurance renewal with Travelers as presented; the motion was seconded by P. Battaglia. Roll call resulted as follows:

T. Felton - Yes
P. Battaglia - Yes
T. Bender - Yes
D. Cunningham – Yes

The item was approved as presented.

3b. December 2021 Unaudited Financial Statements- L. Farrell reviewed with the Committee the significant items of the December 2021 unaudited long form financial statements and noted the following:

- There is normal monthly activity for all funds.
- On the Ag Park fund, substantial payments to Victor Excavating and CPL were made for the Ag Park drainage re-route.
- For expenditures, we are at budget or lower for most line items.
- There may be some, but not many, journal entries made between the presentation of unaudited and audited financial statements.

T. Bender made a motion to recommend to the full Board the approval of the December 2021 Unaudited Financial Statements as presented; the motion was seconded by P. Battaglia. Roll call resulted as follows:

T. Felton - Yes
P. Battaglia - Yes
T. Bender - Yes
D. Cunningham – Yes

The item was approved as presented.

3c. Strategic Investments Update - L. Farrell reviewed the Strategic Investments Analysis with the Committee. It is only an analysis of the cash on hand as well as the cash that is anticipated with certainty within a reasonable period. She noted the following:

- The report has been updated for 2021 actual cash activity and shows that there is still positive cash at the end of 2026.
- The second line item, “NYS Homes & Community Loan Repayments” does not include the most recently approved loans to HP Hood or Upstate Niagara as they have not closed. These will be added once closed. The Town of Batavia received the money from OCR related to the HP Hood loan and we are working towards closing. HP Hood will decide if they will pay off their existing loan prior to closing on their new loan. Upstate Niagara has more cost documentation to do as their project was slated to close in the next few weeks. The money has not been requested from OCR yet.

- To be conservative, the Genesee County Chamber Loan repayments have been updated for actual cash received only.
- For internal borrowings and repayments, we show \$111,000 coming in for 2022, which is the net cash available from the Fancher land sale. Years ago, we borrowed from strategic investment funds to pay back a loan to the EDC. The Fancher land sale at Buffalo East Tech Park will be used to pay back strategic investments.
- The Batavia Micropolitan Area Community Redevelopment Fund reserved amount of \$134,000 has been pushed out to 2022. This reserved amount is the balance of the original \$500,000 commitment for the Revolving Loan Fund. This amount could be released if needed.
- The MedTech Reserve of \$500,000 has been pushed out to 2026 and the actual risk/liability will continue to be evaluated.
- For Ag Park Improvements, \$114,000 has been committed for the drainage solution at Ag Park.
- For the Water Works and Sewer Works, \$50,000 per entity has been reserved for start-up costs. These costs have not been approved by the Board yet.
- At the end of 2021, strategic investment cash is almost \$3.4 million between the GGLDC and the GAB, LLC and is still positive at the end of six years.
- Opportunities are listed at the end of the report.

3d. Genesee CARES Funding & Program Plan – As an update, there are no applications to review currently. Applications are not in the hands of the businesses. There may be applications for review at the next Audit and Finance meeting.

4. ADJOURNMENT

P. Battaglia made a motion to adjourn at 9:19 a.m., seconded by T. Felton and passed unanimously.