



GGLDC Audit & Finance Committee Meeting

Tuesday, January 5, 2021

Location - Electronically

8:30 a.m.

MINUTES

ATTENDANCE

Committee Members: T. Bender, P. Battaglia, D. Cunningham, T. Felton

Staff: L. Farrell, M. Masse, L. Casey, P. Kennett, J. Krencik, S. Hyde, C. Suozzi

Guests: M. Gray (GCEDC Board Member), C. Klotzbach (GCEDC Board Member),
P. Zelif (GCEDC Board Member), R. Fancher (J&R Fancher)

Absent:

1. CALL TO ORDER / ENTER PUBLIC SESSION

D. Cunningham called the meeting to order at 8:32 a.m. via conference call / video conference.

Because of the Novel Coronavirus (COVID-19) Emergency and State and Federal bans on large meetings or gatherings and pursuant to Governor Cuomo's Executive Order 202.1 issued on March 12, 2020 suspending the Open Meetings Law, this Meeting is being held electronically via conference call / video conference instead of a public meeting open for the public to attend in person.

1a. Presentation: J & R Fancher - J & R Fancher Property Holdings, LLC is proposing to construct a mixed-use building with approximately 20 apartments and retail space on 3 buildable acres (5.8 acres total) at Buffalo East Technology Park in Pembroke, NY. This portion would be considered Phase I of the project.

2. CHAIRMAN'S REPORT & ACTIVITIES

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

2b. Minutes: December 1, 2020

T. Felton made a motion to recommend approval of the December 1, 2020 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. November 2020 Financial Statements- L. Farrell reviewed with the Committee the significant items of the November 2020 long form financial statements and noted the following:

- On the balance sheet, restricted cash grant funds decreased. At the end of October there was a balance of \$3,600 from the Freightliner OCR draw. In November, these funds were used to pay H. Sicherman for administrative fees related to the Freightliner OCR grant.
- MedTech Centre accounts receivable decreased by about \$53,000. We received \$57,000 from Finger Lakes Service Group's insurance in November.
- Accounts payable increased by our monthly accrual for amounts that are paid to the GCEDC quarterly for the Economic Development Program Support Grant and the MTC Property Management Fee.
- Normal monthly activity on the income statements for all funds.
- On the P&L for MedTech Centre, the unbudgeted line item (Line 78) is related to the MTC insurance claim.
- We received \$1.1M in land sale proceeds related to the HP Hood land sale. *This was noted during the EDC meeting.*

P. Battaglia made a motion to recommend to the full Board the approval of the November 2020 Financial Statements; the motion was seconded by T. Felton. Roll call resulted as follows:

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

The item was approved as presented.

3b. Resolution for the formation of Water & Sewer Works Corp – The STAMP on-site water system and on-site sanitary sewer treatment system with off-site discharge will be owned, operated and maintained by two entities that are to be formed under NYS Transportation Corporation Law. The GGLDC will be the sole shareholder of these corporations. The GGLDC has petitioned and received consent from Genesee County Department of Health, Genesee County Highway Department, the Town of Alabama Highway Department, and the Town of Alabama regarding the formation of the water works corporation and has petitioned and received consent from Genesee County Department of Health, Orleans County Department of Health, the Genesee County Highway Department, the Town of Shelby Highway Department and the Town of Shelby.

P. Battaglia made a motion to recommend to the full Board authorizing resolution #01/2021-01 for the formation of the Water and Sewer Works Corps; 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.

3c. PSA – BETP The GGLDC has received a Purchase and Sale Agreement from a potential market rate housing complex to acquire approximately 5.8 acres (3.0 acres buildable) out of tax parcel 19.-1-74 for \$150,000.

Fund commitment: Legal fees to Harris Beach for the transaction as listed in the resolution.

Resolution No. #01/2021 - 02

RESOLUTION OF THE GENESEE GATEWAY LOCAL DEVELOPMENT CORPORATION AUTHORIZING (I) THE SALE OF CERTAIN LANDS TO J & R FANCHER PROPERTY HOLDINGS, LLC COMPRISING APPROXIMATELY 5.8 +/- ACRES LOCATED IN THE TOWN OF PEMBROKE, GENESEE COUNTY, NEW YORK, AND KNOWN AS PART OF TAX PARCEL 19.-1-74 (THE "LAND"), AND (II) THE EXECUTION AND DELIVERY OF A PURCHASE AND SALE AGREEMENT FOR THE CONVEYANCE OF THE LAND AND THE EXECUTION AND DELIVERY OF DOCUMENTS NECESSARY AND INCIDENTAL THERETO

T. Felton made a motion to recommend to the full Board the approval of the Purchase and Sale Agreement, authorizing resolution #01/2021-02, and payment of legal fees in connection with the closing; 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.

3d. MTC Roof Repair Invoice – The roof at the MedTech Centre suffered roof damage due to the high winds in December 2019. This damage was not covered under the warranty because the winds were more than 50 mph. The GGLDC submitted this as an insurance claim. The insurance company approved the claim and the company to complete the work. The GGLDC has a contract with a company that is certified to complete the repairs that will not invalidate our current warranty. The damage resulted in about 25% of the roof needing to be replaced. The board had approved this contract in March of 2020 but had subsequently rescinded that approval due to issues with the repair.

The Committee discussed remitting payment in the amount of \$34,897.21, which reduces the previous authorization by \$2,479.79. This reduction in payment is equal to the insurance settlement received less out-of-pocket expenses incurred by the GGLDC to remediate and repair significant damage to the inside of the building that occurred at the time that Great Lakes Service Group completed the roof repair due to their negligence.

T. Bender made a motion to recommend to the full Board authorization to pay \$34,897.21 to Finger Lakes Service Group for the MedTech Centre roof repair; 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.

4. ADJOURNMENT

P. Battaglia made a motion to adjourn at approximately 8:52 a.m., seconded by T. Bender and passed unanimously.