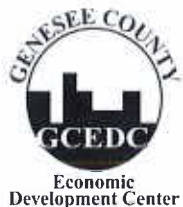




Meeting Agenda – Audit and Finance Committee
 Genesee County Economic Development Center
 Tuesday, May 30, 2017
 Location: GCEDC Conference Room, 8:30 a.m.

Page #	Topic	Discussion Leader	Desired Outcome
	1. Call To Order – Enter Public Session	M. Gray	
	1a. Executive Session: Motion to enter executive session under the Public Officers Law, Article 7, Open Meetings Law Section 105 for the following reasons: 1. The medical, financial, credit or employment history of a particular person or corporation, or matters leading to the appointment, employment, promotion, demotion, discipline, suspension, dismissal or removal of a particular person or corporation. 2. The proposed acquisition, sale or lease of real property or the proposed acquisition of securities, or sale or exchange of securities held by such public body, but only when publicity would substantially affect the value thereof. 1b. Enter Public Session	M. Gray	
2-4	2. Chairman’s Report & Activities 2a. Agenda Additions / Other Business 2b. Minutes: May 2, 2017	M. Gray	Vote
5	3. Discussions / Official Recommendations to the Board: 3a. \$33M STAMP Grant Draw Review YTD	L. Farrell	Discussion
6-9	3b. April 2017 Financial Statements	L. Farrell	Disc / Vote
10-12	3c. Site Access Agreement for Storage of Millings	M. Masse	Disc / Vote
	4. Adjournment	M. Gray	Vote



Tuesday, May 2, 2017
GCEDC – Andrews Conference Room
Audit & Finance Committee Meeting
3:00 p.m.

MINUTES

ATTENDANCE

Committee Members: P. Battaglia, M. Gray, P. Zeliff
 Staff: L. Farrell, M. Masse, P. Kennett, S. Hyde
 Guests: H. Upson (GGLDC Board Member), T. Felton (GGLDC Board Member)
 Absent: M. Davis

1. CALL TO ORDER / ENTER PUBLIC SESSION

P. Zeliff called the meeting to order at 3:04 p.m. in the Andrews Conference Room.

1a. Executive Session – P. Zeliff made a motion to enter into the executive session under the Public Officers Law, Article 7, Open Meetings Law Section 105, at 3:04 p.m., for the following reasons:

1. To discuss the medical, financial, credit or employment history of a particular person or corporation, or matters leading to the appointment, employment, promotion, demotion, discipline, suspension, dismissal or removal of a particular person or corporation.
2. The proposed acquisition, sale or lease of real property or the proposed acquisition of securities, or sale or exchange of securities held by such public body, but only when publicity would substantially affect the value thereof.

The motion was seconded by P. Battaglia and approved by all members present.

1b. Re-Enter Public Session - P. Zeliff made a motion to enter back into public session at 3:14 p.m., seconded by P. Battaglia and approved by all members present.

2. Chairman's Report & Activities:

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

2b. March 30, 2017 Meeting Minutes –

P. Zeliff made a motion to approve the March 30, 2017 Meeting Minutes; the motion was seconded by P. Battaglia. Roll call resulted as follows:

P. Zeliff	- Yes
P. Battaglia	- Yes
M. Gray	- Yes
M. Davis	- Absent

The item was approved as presented.

3. Discussions / Official Recommendations of the Committee:

3a. \$33M STAMP Grant Draw Review YTD – L. Farrell reviewed the \$33 million STAMP grant draws with the Committee. Currently there is a delay on the reimbursement for line of credit interest included in draw #3 and draw #4. She will be reviewing the backup documentation and spreadsheets with ESD this week and hopes that once this happens the funds will be released.

3b. 1st Quarter 2017 Financial Statements – L. Farrell presented the 1st Quarter Financial Statements to the Committee and noted the following:

- There have been no projects that have closed in 2017, resulting in no fee revenue yet this year.
- Unearned Revenue includes the Empire Pipeline Inc. project participation fee that was collected in December 2016, but will not be earned until the company receives approval from FERC (Federal Energy Regulatory Commission).
- Real Estate Development and Management grants receivable (\$331,800) includes an ESD grant for the Leroy land purchase, looking to submit the reimbursement request soon.
- STAMP grant receivable includes expenses related to the \$33M ESD STAMP grant for engineering, environmental, legal, etc.
- The line of credit with Key Bank is related to the STAMP grant receivable with ESD.
- Received the PIF payment that is dedicated to support development at the GVAB (pays annual principal and interest on a GGLDC bond).
- Received the Empire Pipeline Community Benefit Agreement payment for the Village of Bergen waste water treatment plant expansion.
- The HSA benefit is high for the quarter due to a majority of the employer contribution being paid at the beginning of the year.
- A majority of the unemployment insurance and workers compensation insurance is paid at the beginning of the year.
- Long term disability is paid in full for the year.
- Property insurance is paid in advance and should be within budget by year end.
- Dues and Subscriptions are over budget due to half of the membership dues to Greater Rochester Enterprise (\$25K), Invest Buffalo Niagara (\$12.5K) being paid at the beginning of the year.
- Conference and meetings includes annual meeting expense of \$5,568 that is offset by amounts received from attendees, recorded as miscellaneous income.
- RLF #1 has 3 active loans. The loan receivable from Savage IO remains in collections.
- RLF #2 has 1 active loan.
- The expenses in STAMP that are unbudgeted correspond with unbudgeted grant income.
- STAMP Land Acquisition Interest is capitalized and the expense will be reimbursed by the ESD \$33M Grant.
- The GAIN! Loan fund has two active loans.
- All expenditures are in line with the budget except where noted.

P. Battaglia made a motion to recommend approval of the 1st Quarter 2017 Financial Statements; the motion was seconded by P. Zelif. Roll call resulted as follows:

P. Zelif - Yes
 P. Battaglia - Yes
 M. Gray - Yes
 M. Davis - Absent

The item was approved as presented.

3c. Public Work Enforcement Fund – IDAs throughout the state, as well as state agencies and public benefit corporations, were sent letters informing them of their responsibility to pay into the Public Work Enforcement Fund any time the agency/public benefit corporation enters into a public work contracts. For IDAs, this would occur on projects for which the IDA is the beneficial owner (Railroad, spec building, industrial park). The amount to be paid is 1/10th of 1 percent of the value of the contract.

While the cover letter from the Department Of Labor (DOL) refers to public work contracts, the signature page, which DOL asks Executive Directors to sign stating they will pay into the fund, refers to "...all...contracts let by the agency/public authority..."

Brian McMahon discussed this flaw in the signature page language with the Director of DOL's Public Work Division. He was not aware of the oversight. He indicated that IDA Executive Directors could, instead of signing and returning the signature page, send a separate letter stating you received the initial letter and agree to pay into the fund any time the IDA enters into a public work contract.

L. Farrell informed the board that a letter of affirmation was mailed back to the NYS DOL on April 28, 2017.

3d. Mowing Contract for Corporate Parks – M. Masse reviewed bids received for mowing at the parks with the Committee. It was recommended that S&S Trucking be awarded the contracts for mowing STAMP properties as the lowest responsive, responsible bidder for a price not to exceed \$4,380 and McKenzie Landscaping be awarded the contract for mowing Gateway I and AppleTree Acres as the lowest responsive, responsible bidder for a price not to exceed \$455.

P. Battaglia made a motion to recommend approval of Mowing Contract for Corporate Parks not to exceed \$4,835; the motion was seconded by P. Zelif. Roll call resulted as follows:

P. Zelif	- Yes
P. Battaglia	- Yes
M. Gray	- Yes
M. Davis	- Absent

The item was approved as presented.

4. ADJOURNMENT

As there was no further business, P. Battaglia made a motion to adjourn at 3:54 p.m., seconded by P. Zelif and passed unanimously.

3a

\$33M STAMP Grant Draw Review YTD

	<u>Draw #1</u>	<u>Draw #2</u>	<u>Draw #3</u>	<u>Draw #4</u>	<u>Draw #5</u>	<u>Draw #6</u>	<u>Draw #7</u>	<u>Draw #8</u>
Total ESD Draw Amount	\$ 1,461,100	\$ 358,859	\$ 919,463	\$ 171,435	\$ 120,625	\$ 293,914	\$ 521,813	\$ 98,451
Date ESD draw was requested:	4/22/2016	5/19/2016	8/19/2016	10/14/2016	11/7/2016	12/22/2016	2/27/2017	3/27/2017
Date ESD funds were received:	8/5/2016	9/19/2016	12/14/2016	3/23/2017	3/23/2017			
Amount received:	\$ 1,191,384	\$ 158,859	\$ 796,380	\$ 167,360	\$ 120,625			
Date ESD funds were received:	8/16/2016	2/23/2017	2/23/2017					
Amount received:	\$ 269,716	\$ 200,000	\$ 100,093					
Total ESD funds Received	\$ 1,461,100	\$ 358,859	\$ 896,473	\$ 167,360	\$ 120,625	\$ -	\$ -	\$ -
Balance due to GCEDC:	\$ 0	\$ 0	\$ 22,990	\$ 4,075	\$ -	\$ 293,914	\$ 521,813	\$ 98,451

**Genesee County Economic Development Center
April 2017 Dashboard
Balance Sheet - Accrual Basis**

DRAFT

	<u>4/30/17</u>	Three Month Period Ended <u>3/31/17</u>	[Per Audit] <u>12/31/16</u>
ASSETS:			
Cash - Unrestricted	\$ 643,609	\$ 645,450	\$ 824,837
Cash - Restricted (A)	759,055	756,361	794,261
Cash - Reserved (B)	700,776	699,965	696,089
Cash - Subtotal	2,103,440	2,101,776	2,315,187
Grants Receivable (1)	1,363,411	1,362,868	1,501,302
Accts Receivable- Current (2)	51,727	117,425	22,843
Deposits	2,832	2,832	2,832
Prepaid Expenses (3)	16,827	15,975	25,979
Loans Rec - Current (Net of \$37,028 Allow for Bad Debt)	54,421	53,168	48,396
Total Current Assets	3,592,658	3,654,044	3,916,539
Land Held for Dev. & Resale (4)	11,874,829	11,874,829	11,465,926
Furniture, Fixtures & Equipment	67,982	67,982	67,982
Total Property, Plant & Equip.	11,942,811	11,942,811	11,533,908
Less Accumulated Depreciation	(64,726)	(64,604)	(64,237)
Net Property, Plant & Equip.	11,878,085	11,878,207	11,469,671
Accts Receivable- Non-current (5)	40,000	40,000	60,000
Loans Receivable- Non-current (Net of \$19,419 Allow for Bad Debt)	204,929	209,859	180,830
Other Assets	244,929	249,859	240,830
TOTAL ASSETS	15,715,672	15,782,110	15,627,040
DEFERRED OUTFLOWS OF RESOURCES			
Deferred Pension Outflows (11)	481,482	481,482	481,482
Deferred Outflows of Resources	481,482	481,482	481,482
LIABILITIES:			
Accounts Payable (6)	3,720	3,500	283,987
Line of Credit - Revolving (KB) (7)	914,679	914,679	681,991
Accrued Expenses (8)	8,647	87	32,377
Unearned Revenue (9)	524,257	524,232	509,980
Total Current Liabilities	1,451,303	1,442,498	1,508,335
Loans Payable - ESD (10)	5,196,487	5,196,487	5,196,487
Aggregate Net Pension Liability (11)	476,328	476,328	476,328
Total Noncurrent Liabilities	5,672,815	5,672,815	5,672,815
TOTAL LIABILITIES	7,124,118	7,115,313	7,181,150
DEFERRED INFLOWS OF RESOURCES			
Deferred Pension Inflows (11)	102,505	102,505	102,505
Deferred Inflows of Resources	102,505	102,505	102,505
NET ASSETS	\$ 8,970,531	\$ 9,045,774	\$ 8,824,867

Significant Events:

1. Grants Receivable - ESD \$33M grant supports STAMP development; ESD grant supports land acquisition at LeRoy Food & Tech Park.

2. Accounts Receivable (Current) - Econ. Dev. Program Support Grant; MedTech Center Property Management; termed out Project Participation Fees from Rochester Gas & Electric to be collected in the next 12 months.
3. Prepaid Expenses - Prepaid health insurance, D&O insurance, property insurance and disability insurance.
4. Land Held for Dev. & Resale - YTD increases are related to STAMP engineering, environmental and legal costs and Environmental Assessment expenses for the LeRoy Food & Tech Park.
5. Accounts Receivable - Non-current - Termed out Project Participation Fees from Rochester Gas & Electric that will not be collected within 12 months of the Balance Sheet date.
6. Accounts Payable - e3communications.
7. Line of Credit - Bridge financing obtained to fund STAMP property acquisition, related soft costs and professional services until reimbursement from ESD grants/loans is received.
8. Accrued Expenses - NYS Retirement.
9. Unearned Revenue - Funds received from municipalities to support park development and funds received from National Fuel to support workforce development, but not actually earned until eligible expenditures are incurred; Empire Pipeline Inc. project participation fee collected in Dec. 2016, but not earned until the company receives approval from FERC (Federal Energy Regulatory Commission).
10. Loans Payable - ESD - Loans from ESD support STAMP land acquisition and related soft costs.
11. Deferred Pension Outflows / Aggregate Net Pension Liability / Deferred Pension Inflows - Accounts added at 12/31/15 related to implementation of GASB 68.

(A) Restricted Cash = Municipal Funds, RLF #2 Funds, Grant Funds Received in Advance, Project Participation Fees Received in Advance.

(B) Reserved Cash = RLF #1 Funds (defederalized), Reserved Land Sale Proceeds.

**Genesee County Economic Development Center
April 2017 Dashboard
Profit & Loss - Accrual Basis**

DRAFT

	Month to Date		YTD		2017	2017
	4/30/17	4/30/16	2017	2016	Board Approved Budget	YTD % of Budget
Operating Revenues:						
Genesee County	\$ 16,126	\$ 17,918	\$ 64,504	\$ 66,296	\$ 215,014	30%
Fees - Project Participation	250	30,313	3,250	33,313	381,500	1%
Fees - Services	6,677	6,651	26,708	26,682	80,123	33%
Interest Income on Loans	298	524	1,435	1,661	2,730	53%
Rent	220	449	1,266	1,495	23,584	5%
Grants (1)	544	786	673,591	673,833	46,277,055	1%
GGLDC Grant- Econ. Dev. Program Support	25,000	25,000	100,000	100,000	300,000	33%
Other Revenue	838	3	6,474	5,639	6,508	99%
Total Operating Revenues	49,953	81,644	877,228	908,919	47,286,514	2%
Operating Expenses						
General & Admin	114,563	87,300	437,427	410,164	1,214,067	36%
Professional Services	10,294	23,077	23,547	36,330	150,925	16%
Site Maintenance/Repairs	390	390	1,560	1,560	12,100	13%
Property Taxes/Special District Fees	-	-	6,127	6,127	12,787	48%
Bad Debt Expense	-	833	-	833	-	N/A
Grant Expense	-	-	-	-	-	N/A
PIF Expense- Ag Park/Bergen	-	-	223,404	223,404	226,130	99%
Site Development Expense	-	-	39,700	-	39,700	100%
Real Estate Development (2)	-	-	408,903	408,903	45,960,300	1%
Balance Sheet Absorption	-	-	(408,903)	(408,903)	-	N/A
Total Operating Expenses	125,247	111,600	731,765	678,418	47,616,009	2%
Operating Revenue (Expense)	(75,294)	(29,956)	145,463	230,501	(329,495)	
Non-Operating Revenue						
Other Interest Income	51	52	201	202	400	50%
Total Non-Operating Revenue	51	52	201	202	400	N/A
Change in Net Assets	(75,243)	(29,904)	145,664	230,703	\$ (329,095)	
Net Assets - Beginning	9,045,774	7,463,063	8,824,867	6,988,475		
Net Assets - Ending	\$ 8,970,531	\$ 7,433,159	\$ 8,970,531	\$ 7,219,178		

Significant Events:

1. Grants - \$205,780 Community Benefit Agreement payment dedicated to support development at the GVAB (pays annual principal & interest on bond); Bergen PIF- In 2007, Genesee County and the Town of Bergen consented to divert PILOT payments from two companies back to the GCEDC to support the Village of Bergen wastewater treatment plant expansion; 2015 PIF with RJ Properties (Liberty Pumps) supports Apple Tree Acres Infrastructure improvements; ESD \$33M Grant supports STAMP engineering, environmental, legal, etc.
2. Real Estate Development Costs - YTD includes STAMP engineering, environmental and legal expenses; Environmental Assessment expenses for the Leroy Food & Tech Park.

Genesee County Economic Development Center
April 2017 Dashboard
Statement of Cash Flows

DRAFT

	April 2017	YTD
CASH FLOWS PROVIDED (USED) BY OPERATING ACTIVITIES:		
Genesee County	\$ 16,126	\$ 80,630
Fees - Project Participation	250	21,250
Fees - Services	20,031	20,031
Interest Income on Loans	323	1,586
Rent	220	1,635
Grants	-	811,481
GGLDC Grant - Economic Development Program Support	75,000	75,000
Other Revenue	838	6,474
Repayment of Loans	3,677	15,824
Issuance of Loans	-	(45,948)
General & Admin Expense	(104,168)	(455,218)
Professional Services	(10,294)	(30,439)
Site Maintenance/Repairs	(390)	(1,560)
Site Development	-	(39,700)
Property Taxes/Special District Fees	-	(12,984)
PIF Expense	-	(223,404)
Improv/Additions to Land Held for Development & Resale	-	(669,294)
Net Cash Provided (Used) By Operating Activities	1,613	(444,636)
CASH FLOWS PROVIDED BY NONCAPITAL FINANCING ACTIVITIES:		
Lines of Credit Activity - Net	-	232,688
Net Cash Provided By Noncapital Financing Activities	-	232,688
CASH FLOWS PROVIDED BY INVESTING ACTIVITIES:		
Interest Income	51	201
Net Change in Cash	1,664	(211,747)
Cash - Beginning of Period	2,101,776	2,315,187
Cash - End of Period	\$ 2,103,440	\$ 2,103,440
RECONCILIATION OF NET OPERATING REVENUE (LOSS) TO NET CASH PROVIDED (USED) BY OPERATING ACTIVITIES:		
Operating Revenue (Loss)	\$ (75,294)	\$ 145,463
Adjustments:		
Depreciation Expense	122	489
Decrease in Accounts/Grants Receivable	65,155	129,007
(Increase) Decrease in Prepaid Expenses	(852)	9,152
(Increase) Decrease in Loans Receivable	3,677	(30,124)
Increase in Land Held for Development & Resale	-	(408,903)
Increase (Decrease) in Accounts Payable	220	(280,267)
Increase (Decrease) in Accrued Expenses	8,560	(23,730)
Increase in Unearned Revenue	25	14,277
Total Adjustments	76,907	(590,099)
Net Cash Provided (Used) By Operating Activities	\$ 1,613	\$ (444,636)

3b

9

Mark Masse

GCEDC Audit & Finance Committee

May 30, 2017

3c. Approval of Site Access Agreement for Storage of Millings

Discussion: The GCEDC has received a request from Villager Construction, Inc. to pay \$500 per month to store millings at the location circled on the attached map. Harris Beach has reviewed the agreement made some modifications which Villager accepted.

Fund Commitment: None.

Board Action Request: Approval of Site Access Agreement for Storage of Millings.

Site Access Agreement for Storage of Millings

Project : Staging of Millings

Owner: Genesee County EDC
99 Medtech Drive, Suite 106
Batavia, NY 14020

Contractor:
Villager Construction, Inc
425 Old Macedon Center Rd
Fairport, NY 14450

The Agreement is as follows:

Genesee County EDC hereby agrees to provide Villager Construction, Inc will access land to store millings for future use. Payment of \$500/month will be made by Villager Construction Inc while the land is in use. Restoration to be made to original conditions by Villager Construction, Inc once the millings are removed at its sole cost and expense.

Villager Construction, Inc will supply Genesee County EDC Insurance certificates listing them as additional insured in such amounts as are required by Genesee County EDC.

Villager Construction, Inc shall defend, indemnify, and hold harmless the Genesee County EDC including affiliates and each of their respective officers, directors, shareholders, employees, representatives, agents, successors and assigns from and against all claims of Third Parties, and all associated losses, to the extent arising out of a Party's gross negligence or willful misconduct in performing any obligations under this agreement.

NOT VALID UNTIL SIGNED BY THE OWNER AND CONTRACTOR

Owner
Genesee County EDC
99 MedTech Drive, Suite 106
Batavia, NY 14020

Contractor
Villager Construction, Inc.
425 Old Macedon Center Road
Fairport, NY 14450

Signature

Signature



By

By TODD RICKARD

Date

Date 5/17/17

3C

ArcGIS Web Map



Sources: Esri, DeLorme, USGS, NPS
 Sources: Esri, USGS, NOAA

May 19, 2017

- Roads (Large Scale)
- Active Railroads (Large Scale)
- Streams (Large Scale)
- 2016 Tax Parcels
- Water (Large Scale)
- Towns