



## **GGLDC Audit & Finance Committee Meeting**

**Thursday, August 5, 2021**

**Location - Innovation Zone**

**10:30 a.m.**

### **MINUTES**

#### **ATTENDANCE**

Committee Members: P. Battaglia, T. Felton, T. Bender  
Staff: L. Farrell, M. Masse, P. Kennett, J. Krencik, S. Hyde, C. Suozzi  
Guests: P. Zelif (GCEDC Board Member),  
Absent: D. Cunningham

#### **1. CALL TO ORDER / ENTER PUBLIC SESSION**

T. Felton called the meeting to order at 11:40 a.m. in the Innovation Zone.

#### **2. CHAIRMAN'S REPORT & ACTIVITIES**

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

**2b. Minutes: June 29, 2021**

**P. Battaglia made a motion to recommend approval of the June 29, 2021 minutes; the motion was seconded by T. Bender. Roll call resulted as follows:**

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

**The item was approved as presented.**

#### **3. DISCUSSIONS / OFFICIAL RECOMMENDATIONS TO THE BOARD:**

**3a. June 2021 Financial Statements-** L. Farrell reviewed with the Committee the significant items of the June 2021 long form financial statements.

- Regular monthly activity for all funds.

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

T. Felton - Yes

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

**The item was approved as presented.**

**3b. Strategic Investment Funds Analysis** – L. Farrell reviewed the Strategic Investments Analysis with the Committee. She noted the following:

- Final approval of YSG Solar will be presented to the Board at today's meeting. If the project is approved, \$25K can be anticipated coming into the Workforce Development & Economic Dev. Program Support Funding along with annual lease payments of \$12K per year.
- Mega Properties land sale net proceeds were added, previously an opportunity.
- HP Hood and Upstate Niagara OCR loans have not yet closed, so they have not been added as a source of funds. This cash is reflected as a memo item only.

**3c. Assessment of the Effectiveness of Internal Controls** – L. Farrell shared that Public Authorities Law requires all public authorities to complete an annual assessment of the effectiveness of their internal control structures and procedures.

The 2021 Assessment of the Effectiveness of Internal Controls identifies and summarizes the controls in place for major business functions. A list of vendors that the Committee has authorized can be paid online is included as part of the narrative. Travelers Insurance was added to the list of vendors that the Committee reviewed last year.

The Committee is asked to review and approve the Assessment of the Effectiveness of Internal Controls annually (this is not brought to the full Board for approval).

**P. Battaglia made a motion to approve the Assessment of the Effectiveness of Internal Controls and the list of vendors that can be paid online; the motion was seconded by T. Bender. Roll call resulted as follows:**

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

**The item was approved as presented.**

**3d. John Jakubowski Contract** - John Jakubowski has provided a consulting agreement for the period of August 15, 2021 through August 14, 2022 to perform the following:

1. Perform consulting services to assist in the development and implementation of workforce development programs and training initiatives relative to the goals of the Company and its affiliates.
2. Consult with the VP of Business Development of the GCEDC and staff relative to the application, development and deployment of its workforce programs.

3. Consult with educational institutions who may serve as partners in the development, implementation and delivery of training programs. Specifically, interface with Genesee Community College and its BEST Center, other institutions of higher learning, the Genesee Valley Educational Partnership and local secondary schools as appropriate.
4. Provide consulting services as requested by the GCEDC / GGLDC.

This contract is not to exceed \$29,800 in total between the GGLDC and GCEDC and was included in the GGLDC budget to be paid by Strategic Investment funds.

**P. Battaglia made a motion to recommend to the full Board the approval of the John Jakubowski Contract; the motion was seconded by T. Bender. Roll call resulted as follows:**

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

**The item was approved as presented.**

**3e. Ag Park Drainage Contract** - The GGLDC has received a final engineering, bidding and construction inspection proposal to eliminate the drainage from a parcel on the north side of Ag Park Drive from going to the stormwater pond on the south side of Ag Park Drive. A company would like to purchase the acreage on the south side of Ag Park Drive and does not want drainage from property they don't own crossing onto their property. The proposal would be to construct roadside ditching and drainage within the existing ROW to allow the water to drain from east to west along the roadway.

Fund Commitment: Not to exceed \$17,800 from Strategic Investment funds.

**T. Bender made a motion to recommend to the full Board the approval of the Ag Park Drainage Contract not to exceed \$17,800 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 - Absent

**The item was approved as presented.**

**3f. Workforce – City of Batavia Police Community Night Out** - C. Suozzi reviewed the sources and uses of the Workforce Development Fund for 2021 -2022, which is outlined in the Committee materials provided. C. Suozzi requested the approval of the sponsorship in the amount of \$250 for the City of Batavia Police Community Night Out Event.

**T. Bender made a motion to recommend to the full Board the approval of the \$250 level sponsorship for the City of Batavia Police Community Night Out Event; the motion was seconded by P. Battaglia. Roll call resulted as follows:**

T. Felton - Yes  
 P. Battaglia - Yes

T. Bender - Yes  
D. Cunningham – Absent

**The item was approved as presented.**

**3g. Northman & Star (Nexgistics) PSA** - The GGLDC has received a Purchase and Sale Agreement (PSA) from Nexgistics, Inc. to acquire approximately 29.25 acres (10+/- buildable acres) out of tax parcel 19.-1-13 for \$50,000 per buildable acre with a total sale price of \$500,000.

Fund Commitment: Legal fees to Harris Beach not to exceed \$7,500.00 for the transaction.

Resolution No. 08/2021 - 01

RESOLUTION OF THE GENESEE GATEWAY LOCAL DEVELOPMENT CORPORATION AUTHORIZING (i) THE SALE OF CERTAIN CORPORATION OWNED REAL PROPERTY TO STACY NORTHMAN AND RICHARD STAR O/B/O AN ENTITY TO BE FORMED, (ii) THE EXECUTION OF A PURCHASE AND SALE AGREEMENT, AND (iii) A DEED, AND RELATED DOCUMENTS IN CONNECTION WITH THE CLOSING OF THE PURCHASE AND SALE OF THE REAL PROPERTY.

**T. Bender made a motion to recommend to the full Board the approval of Resolution #08/2021-01, including the PSA and payment of legal fees not to exceed \$7,500; the motion was seconded by P. Battaglia. Roll call resulted as follows:**

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

**The item was approved as presented.**

**3h. J & R Fancher PSA** - The GGLDC has received a Purchase and Sale Agreement from Fancher to acquire approximately 2.6 acres out of tax parcel 19.-1-74 for \$50,000 per buildable acre with a total sale price of \$130,000.

Fund Commitment: Legal fees to Harris Beach not to exceed \$7,500.00 for the transaction.

Resolution No. #08/2021 - 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 2.60 +/- 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. Bender made a motion to recommend to the full Board the approval of Resolution #08/2021-01, including the PSA from J & R Fancher as presented and payment of legal fees not to exceed \$7,500; the motion was seconded by P. Battaglia. Roll call resulted as follows:**

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

**The item was approved as presented.**

#### **4. ADJOURNMENT**

T. Bender made a motion to adjourn at 11:44 a.m., seconded by T. Felton and passed unanimously.