



GCEDC Audit & Finance Committee Meeting

Tuesday, January 11, 2022

Location: Electronically

8:30 a.m.

MINUTES

ATTENDANCE

Committee Members: T. Bender, M. Gray, P. Zeliff, P. Battaglia
Staff: L. Farrell, L. Casey, M. Masse, J. Krencik, S. Hyde, C. Suozzi
Guests: D. Cunningham (GGLDC Board Member), T. Felton (GGLDC Board Member),
Randy Fancher (J&R Property Holdings, LLC), Bill Fritts (Lawley), Susie Ott
(Lawley), Reggie Dejean (Lawley), Caitlin Celis (Lawley)
Absent:

1. CALL TO ORDER / ENTER PUBLIC SESSION

M. Gray called the meeting to order at 8:33 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.

Presentation – Lawley – Representatives of Lawley Insurance discussed the renewal of the Agency's Directors & Officers/Employment Practices Liability Insurance with Travelers. The current policy expires on February 23, 2022. There is about \$165,000 of defense costs related to the Seneca Nation case settlement. The Agency does not anticipate any more claims coming forward to the Travelers policy related to this matter. Lawley is going out to market to provide proposals. Lawley anticipates an increase in the premium, which is currently \$10,000-\$12,000 split between the GCEDC & GGLDC.

Bill Fritts, Susie Ott, Reggie Dejean and Caitlyn Celis left the meeting at 8:43 a.m.

1a. Enter Executive Session

P. Battaglia made a motion to enter executive session under the Public Officers Law, Article 7, Open Meetings Law Section 105, at 8:46 a.m. 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.

The motion was seconded by T. Bender and approved by all members present.

Randy Fancher left the meeting at 8:57 a.m.

1b. Enter Public Session

P. Battaglia made a motion to enter back into public session at 9:29 a.m., seconded by T. Bender and approved by all members present.

2. Chairman's Report & Activities

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

2b. Minutes: November 30, 2021

P. Zelif made a motion to approve the November 30, 2021 minutes; the motion was seconded by T. Bender. Roll call resulted as follows:

P. Battaglia - Yes
M. Gray - Yes
T. Bender - Yes
P. Zelif - Yes

The item was approved as presented.

3. DISCUSSIONS / OFFICIAL RECOMMENDATIONS OF THE COMMITTEE:

3a. November 2021 Financial Statements - L. Farrell reviewed with the Committee the significant items of the November 2021 long form financial statements and noted the following:

- On the balance sheet, grants receivable decreased. We received \$27,000 from National Grid, which was a reimbursement for 50% of the GLS contract.
- Another change on the balance sheet is accrued expenses related to the accrual of the NYS retirement payments. This invoice was paid in December and came in higher than anticipated at 104% of budget.
- On the operating fund, we collected \$129,000 in project origination fees. We closed on the Gateway GS project.
- For expenditures we should be at 92% of budget, which we are at or under budget for most line items.
- Project origination fees are \$3.1 million YTD.
- On the other funds, there is normal monthly activity.
- There is no STAMP grant activity because no GURFs were completed in November.

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

P. Battaglia - Yes
M. Gray - Yes
T. Bender - Yes
P. Zelif - Yes

The item was approved as presented.

3b. D & O Insurance Renewal – There was a presentation made by Lawley representatives at the beginning of the meeting. Proposals will be presented at the next meeting.

3c. 2022 County Funding Contract- L. Farrell noted that the 2022 County Funding Contract was included with Board materials. The funding will remain the same as the previous year’s amount of \$233,513 plus an additional \$25,000 to be used only for administration of a workforce development program.

P. Battaglia made a motion to recommend to the full Board the approval of the 2022 County Funding Contract as presented; the motion was seconded by T. Bender. Roll call resulted as follows:

P. Battaglia - Yes
M. Gray - Yes
T. Bender - Yes
P. Zeliff - Absent (Dropped from the video conference)

The item was approved as presented.

3d. ECIDA Shared Services Agreement- The GCEDC has a shared services agreement with Erie County Industrial Development Agency (ECIDA) for on call IT support services. The GCEDC had this agreement since 2016 and has been very pleased with the service and response time to our issues. We would like to continue this agreement in 2022. The agreement is at an hourly rate of \$95. They also provide website hosting services for the GCEDC (\$600 annually), anti-virus software (\$720 annually), CRM Hosting (\$2,200 annually) and any version upgrade would be \$500 each occurrence as required. There has been no increase in the hourly rate since 2016, so there was a \$10 per hour increase from 2021 to 2022. All other amounts have remained the same as last year.

The following amounts were included in the 2022 budget:

Professional Services - \$6,000 for ECIDA IT consultant (web hosting, anti-virus, hourly IT support)
Dues & Subscriptions - \$2,200 for ECIDA CRM Hosting

Fund commitment: Not to exceed \$6,000 as included in the Professional Services, and \$2,200 as included in Dues & Subscriptions line items of the 2022 budget.

P. Battaglia made a motion to recommend to the full Board the approval of the ECIDA Shared Services Agreement not to exceed \$8,200; the motion was seconded by T. Bender. Roll call resulted as follows:

P. Battaglia - Yes
M. Gray - Yes
T. Bender - Yes
P. Zeliff - Absent (Dropped from the video conference)

The item was approved as presented.

4. ADJOURNMENT

As there was no further business, P. Battaglia made a motion to adjourn at 9:38 a.m., seconded by T. Bender and passed unanimously.