



**Meeting Agenda – Audit and Finance Committee**  
 Genesee Gateway Local Development Corp  
 Tuesday, June 4, 2024 – 8:30 a.m.  
 Location: 99 MedTech Drive, Innovation Zone

Page #	Topic	Discussion Leader	Desired Outcome
	1. Call To Order – Enter Public Session	M. Brooks	
2-5	<b>2. Chairman's Report &amp; Activities</b> 2a. Agenda Additions / Other Business 2b. Minutes: April 30, 2024	M. Brooks	Vote
6-10 11-14 15	<b>3. Discussions / Official Recommendations to the Board:</b> 3a. April 2024 Financial Statements 3b. Audit & Finance Committee Charter 3c. Committee Self-Evaluation 3d. MedTech Centre Parking Lot Light	L. Farrell L. Farrell L. Farrell M. Masse	Disc / Vote Discussion Discussion Disc / Vote
	<b>5. Adjournment</b>	M. Brooks	Vote

**GGLDC Audit & Finance Committee Meeting**

**Tuesday, April 30, 2024**

**Location – 99 MedTech Drive, Innovation Zone**

**8:30 a.m.**

**MINUTES**

**ATTENDANCE**

Committee Members M. Brooks, D. Cunningham, P. Battaglia  
Staff: L. Farrell, M. Masse, P. Kennett, C. Suozzi, J. Krencik, S. Hyde, E. Finch, L. Casey  
Guests: M. Gray, K. Manne, P. Zeliff  
Absent: J. Tretter

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

M. Brooks called the meeting to order at 9:20 a.m. in the Innovation Zone.

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

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

**2b. Minutes: March 28, 2024**

**D. Cunningham made a motion to recommend approval of the minutes from March 28, 2024; the motion was seconded by P. Battaglia. Roll call resulted as follows:**

J. Tretter - Absent  
P. Battaglia - Yes  
M. Brooks - Yes  
D. Cunningham – Yes

**The item was approved as presented.**

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

**3a. 1<sup>st</sup> Quarter Financial Statements** – L. Farrell reviewed with the Committee the significant items of the first quarter long form financial statements for 2024.

- There is normal activity on the balance sheet for the first quarter.
- Line 7, Restricted Cash Community Benefit Agreement with Darien Lake decreased by about \$480K. There was a distribution made to the Town of Pembroke, which is in accordance with the 2019 Sewer Supply Agreement that we have in place with the EDC, LDC and the Town of Pembroke. All CBA funds on hand at the time of that agreement, along with all future payments to

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be received from Darien Lake were committed to the Wastewater Treatment Facility upgrades in the Village of Corfu.

- In the Operating Fund, there is about \$12K of miscellaneous Workforce Development Expenses, which correlates to the sources and uses of Workforce Development funds. Some larger payments were made in the first quarter to support GLOW Works, Inc., BEA and Finger Lakes Youth Apprenticeship.
- In the Buffalo East Tech Park, \$485K was distributed to the Town of Pembroke and recorded as site development expense. Anything paid towards infrastructure that we do not own is recorded as site development expense and is not capitalized on the balance sheet.
- MedTech Center is at about 25% of budget for most line items, which is where we would anticipate being at this time.

**P. Battaglia made a motion to recommend to the full Board the approval of the 1<sup>st</sup> Quarter Financial Statements as presented; the motion was seconded by D. Cunningham. Roll call resulted as follows:**

J. Tretter - Absent  
P. Battaglia - Yes  
M. Brooks - Yes  
D. Cunningham - Yes

**The item was approved as presented.**

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

- The opening balance matches the actual cash balance for Strategic Investments as of January 1, 2024.
- Oak Orchard Solar 3, LLC paid \$25K to support Workforce Development Initiatives, along with the overall Economic Development Program, when their project closed in the first quarter of 2024.
- Last year, CH4 Biogas paid a \$20K non-refundable deposit to the Genesee Valley Agri-Business LLC. On April 3, that deposit becomes revenue and can no longer be applied to the purchase price.
- The \$300,000 Economic Development Support Grant has been approved for 2024; however, the years 2025-2028 will still need to come forward to the Board for approval before any transfers could be made.
- There is a balance of \$100K of reserved cash on hand from solar project funding that has been committed to Workforce Development initiatives.
- Interest income of \$31,000 has been earned on strategic investment funds in the first quarter of 2024.
- Reserves for the Workforce Development Consultant have been removed for 2024, as the activity is being undertaken by the GCEDC. A placeholder of \$30,000 for the workforce development consultant remains for the years 2025-2028 in case the County does not continue to provide additional funding to support Workforce Development initiatives as it does currently.
- Opportunities on the last page of the analysis include:
  - o The CH4 Biogas land sale in Genesee Valley Agri-Business Park.
  - o The J&R Fancher land sale in Buffalo East Tech Park.

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- At the end of 2028, there is a projected strategic investment cash balance of about \$1.9M.

**3c. CH4 Biogas ROFR** – Included in the meeting materials is a Right of First Refusal (ROFR) for a 20-acre parcel located at the Ag Park. The previous Right of First Refusal expired April 3 with the \$20,000 nonrefundable deposit. This becomes revenue and will not be applied against this new Right of First Refusal. The new agreement requires a \$40,000 nonrefundable deposit with a term of one year. CH4 Biogas must purchase the property within a year to receive a credit of \$40K against the purchase price. If not, the deposit will become revenue for the Genesee Valley Agri-Business, LLC.

**Fund Commitment:** None.

**Board Action Request:** Recommend approval of the ROFR.

**P. Battaglia made a motion to recommend to the full Board CH4 Biogas ROFR as presented; the motion was seconded by D. Cunningham. Roll call resulted as follows:**

J. Tretter - Absent  
P. Battaglia - Yes  
M. Brooks - Yes  
D. Cunningham - Yes

**The item was approved as presented.**

**3d. Mowing Contract for MedTech and Ag Park** - At the last Board Meeting, the Board awarded a mowing contract for MedTech Center and 8750 Ag Park Drive to Craig's Mowing & Landscape. The contractor does not have the proper insurance requirements and the cost for the additional insurance was too significant to acquire. Staff requested that the Board rescind the previous award and approve the contract with the second lowest bidder that meets the insurance requirements.

The Committee asked if there is a way to make the insurance requirements different depending on the contract. L. Farrell clarified that the insurance requirements are set by us not the insurance company.

**D. Cunningham made a motion to recommend to the full Board an exception to the policy to reduce the insurance requirement for this mowing contract with Craig's Mowing & Landscaping only; the motion was seconded by P. Battaglia. Roll call resulted as follows:**

J. Tretter - Absent  
P. Battaglia - Yes  
M. Brooks - Yes  
D. Cunningham - Yes

**The item was approved as presented.**

**3e. Increase in Legal Fees for Land Sale for MedTech Landing, LLC** - Included with the meeting materials is a resolution for the Board to approve the increase in legal fees for the land sale at MedTech Park. There were several unforeseen issues with this land sale related to the mortgage releases from Five Star Bank and the USDA that resulted in additional legal fees more than the original approved amount of \$10,000.

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L. Farrell stated that Five Star Bank required a legal opinion related to the tax-exempt bond that is associated with the MedTech Centre building. This added significantly to billable hours in legal fees.

**Fund Commitment:** \$31,436 to be paid out of the land sale proceeds.

**Board Action Request:** Recommend approval of the increase in legal fees.

**D. Cunningham made a motion to recommend to the full Board the approval of increased legal fees related to the MedTech Landing land sale not to exceed \$31,436 as presented; the motion was seconded by P. Battaglia. Roll call resulted as follows:**

J. Tretter            - Absent  
P. Battaglia        - Yes  
M. Brooks           - Yes  
D. Cunningham   - Yes

**The item was approved as presented.**

**4. ADJOURNMENT**

As there was no further business, D. Cunningham made a motion to adjourn at 9:33 a.m., seconded by P. Battaglia and passed unanimously.

**Genesee Gateway Local Development Corp.**  
**Dashboard - April 2024**  
**Balance Sheet - Accrual Basis**

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	4/30/24	3/31/24	[Per Audit] 12/31/23
<b><u>ASSETS:</u></b>			
Cash - Unrestricted	\$ 716,531	\$ 646,800	\$ 706,434
Cash - Restricted (A)	1,114,469	1,109,085	1,582,013
Cash - Reserved (B)	1,576,392	1,550,874	1,336,281
Cash - Subtotal	3,407,392	3,306,759	3,624,728
Accounts Receivable	8,974	8,907	11,320
Interest Receivable	-	-	3,839
Lease Receivable GASB - Current Portion	522,953	522,953	522,953
Loans Receivable - Current Portion	451,699	461,171	581,079
Other Current Assets (1)	46,803	52,361	3,335
<b>Total Current Assets</b>	<b>4,437,821</b>	<b>4,352,151</b>	<b>4,747,254</b>
Land Held for Dev. & Resale (2)	1,968,357	2,182,234	2,182,234
Buildings & Improvements	7,281,719	7,281,719	7,248,621
Furniture, Fixtures & Equipment	46,599	46,599	46,599
Total Property, Plant & Equip.	9,296,675	9,510,552	9,477,454
Less Accumulated Depreciation	(2,606,713)	(2,590,601)	(2,542,265)
<b>Net Property, Plant &amp; Equip.</b>	<b>6,689,962</b>	<b>6,919,951</b>	<b>6,935,189</b>
Lease Receivable GASB - Noncurrent Portion	1,930,390	1,930,390	1,930,390
Loans Receivable - Noncurrent Portion (Net of \$170,238 Allow for Bad Debt)	682,367	687,758	777,143
Equity Investment in Genesee Agri-Business, LLC (3)	2,562,240	2,562,240	2,562,240
Equity Investment in STAMP Sewer Works, Inc. (4)	250,000	250,000	250,000
Equity Investment in STAMP Water Works, Inc. (5)	25,000	25,000	25,000
<b>Other Assets</b>	<b>5,449,997</b>	<b>5,455,388</b>	<b>5,544,773</b>
<b>Total Assets</b>	<b>16,577,780</b>	<b>16,727,490</b>	<b>17,227,216</b>
<b><u>LIABILITIES:</u></b>			
Accounts Payable (5)	135,049	100,786	58,627
Unearned Revenue	40,965	0	500
Security Deposits	109,944	109,944	109,944
Loans Payable - Current Portion	91,248	90,945	90,041
Bonds Payable - Current Portion	144,773	159,141	156,909
<b>Total Current Liabilities</b>	<b>521,979</b>	<b>460,816</b>	<b>416,021</b>
Loans Payable - Noncurrent Portion	1,811,140	1,978,820	2,001,898
Bonds Payable - Noncurrent Portion (2)	2,135,147	2,134,859	2,179,828
<b>Total Noncurrent Liabilities</b>	<b>3,946,287</b>	<b>4,113,679</b>	<b>4,181,726</b>
<b>Total Liabilities</b>	<b>4,468,266</b>	<b>4,574,495</b>	<b>4,597,747</b>
<b><u>DEFERRED INFLOW OF RESOURCES</u></b>			
Deferred Inflow - Leases	2,373,512	2,373,512	2,373,512
<b>Total Deferred Inflow of Resources</b>	<b>2,373,512</b>	<b>2,373,512</b>	<b>2,373,512</b>
<b>EQUITY</b>	<b>\$ 9,736,002</b>	<b>\$ 9,779,483</b>	<b>\$ 10,255,957</b>

**Significant Events:**

1. Other Current Assets - Prepaid General Liability, Umbrella, D&O and Cyber insurance.
2. Land Held for Dev. & Resale & Bonds Payable Noncurrent Portion - Proceeds from the MedTech Landing land sale at MedTech Park was applied to the USDA Bond.
3. Equity Investment in Genesee Agri-Business, LLC - Ties to corresponding GAB, LLC financial statements.
4. Equity Investment in STAMP Sewer Works, Inc. - Distributions to this entity to cover start up costs and legal fees.
5. Equity Investment in STAMP Water Works, Inc. - Distributions to this entity to cover start up costs.
6. Accounts Payable - Grant for continuing Economic Development Program Support, MedTech Centre Property Management, etc.

(A) Restricted = DL Community Benefit Agreement (CBA) Funds, Plug Power Host Community Investment Funds, Security Deposits, USDA Debt Sinking Fund.

(B) Reserved = OCR loan repayments, Strategic Investment Funds, Economic Development Loan Funds, Batavia Metropolitan Area Redevelopment Loan Funds, Grant Funds.

**Genesee Gateway Local Development Corp.  
Dashboard - April 2024  
Profit & Loss - Accrual Basis**

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	Month to Date		YTD		2024	2024
	4/30/24	4/30/23	2024	2023	Board Approved <b>Budget</b>	YTD % of Budget
<b><u>Operating Revenues:</u></b>						
Grants (1)	\$ 2,000	\$ 168,794	\$ 27,000	\$ 1,160,611	\$ 1,822,876	1%
Interest Income on Loans	3,657	2,552	14,606	9,288	39,477	37%
Rent	62,440	62,707	250,567	250,708	767,488	33%
Common Area Fees - Parks	-	-	3,030	500	500	606%
Fees	-	-	-	250	-	N/A
Other Revenue	162	63	440	177	-	N/A
Land Sale Proceeds	200,000	-	200,000	-	-	N/A
<b>Total Operating Revenues</b>	<b>268,259</b>	<b>234,116</b>	<b>495,643</b>	<b>1,421,534</b>	<b>2,630,341</b>	
<b><u>Operating Expenses:</u></b>						
Operations & Maintenance	5,243	8,679	70,661	71,899	345,024	20%
Professional Services	7,262	22,138	29,048	47,124	137,168	21%
Econ. Dev. Prog. Support Grant	25,000	25,000	100,000	100,000	300,000	33%
Site Development Expense (2)	-	-	485,753	-	578,883	84%
Cost of Sales	254,423	-	254,423	-	-	N/A
Grant Expense	2,000	256,418	2,000	373,007	869,648	0%
Real Estate Dev. (Capitalized)	-	-	-	-	20,000	0%
Buildings/Furniture/Equip. (Capitalized) (3)	-	-	33,098	-	50,000	66%
Balance Sheet Absorption	-	-	(33,098)	-	(70,000)	47%
Depreciation	16,112	16,175	64,448	64,700	193,385	33%
<b>Total Operating Expenses</b>	<b>310,040</b>	<b>328,410</b>	<b>1,006,333</b>	<b>656,730</b>	<b>2,424,108</b>	
<b>Operating Revenue (Expense)</b>	<b>(41,781)</b>	<b>(94,294)</b>	<b>(510,690)</b>	<b>764,804</b>	<b>206,233</b>	
<b><u>Non-Operating Revenues (Expenses):</u></b>						
Other Interest Income (4)	10,665	2,681	39,844	3,473	62,500	64%
Interest Expense	(12,365)	(12,706)	(49,109)	(51,279)	(144,639)	34%
<b>Total Non-Operating Exp.</b>	<b>(1,700)</b>	<b>(10,025)</b>	<b>(9,265)</b>	<b>(47,806)</b>	<b>(82,139)</b>	
<b>Change in Net Assets</b>	<b>(43,481)</b>	<b>(104,319)</b>	<b>(519,955)</b>	<b>716,998</b>	<b>\$ 124,094</b>	
<b>Net Assets - Beginning</b>	<b>9,779,483</b>	<b>10,228,637</b>	<b>10,255,957</b>	<b>9,407,320</b>		
<b>Net Assets - Ending</b>	<b>\$ 9,736,002</b>	<b>\$ 10,124,318</b>	<b>\$ 9,736,002</b>	<b>\$ 10,124,318</b>		

**Significant Events:**

1. Grant Revenue - ESL Federal Credit Union pass-through grant to BEA supporting Young Dexter STEAM Camp(\$2K); YTD Workforce Dev/Ec Dev Program Support Grant from Oak Orchard Solar (\$25K).
2. Site Development Expense YTD - Payment made to the Town of Pembroke per the 2019 Sewer Supply Agreement supporting construction costs of the Corfu wastewater treatment facility expansion.
3. Buildings / Furniture / Equipment YTD - MedTech Centre building light fixture upgrades to LED.
4. Other Interest Income - Interest rates have increased substantially; invested funds into CDs for additional interest.

**Genesee Gateway Local Development Corp.**  
**April 2024 Dashboard**  
**Statement of Cash Flows**

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	April 2024	YTD
<b>CASH PROVIDED BY OPERATING ACTIVITIES:</b>		
Grant Income	\$ 2,000	\$ 27,000
Interest Income on Loans	4,163	14,612
Rental Income	102,751	293,055
Common Area Fees - Parks	-	3,030
Other Revenue	279	793
Net Land Sale Proceeds	200,000	200,000
Operations & Maintenance	280	(120,405)
Professional Services	-	(1,886)
Site Development Expense	-	(485,753)
Cost of Land Sales	(40,546)	(40,546)
Repayment of Loans	14,863	224,156
Net Cash Provided By Operating Activities	283,790	114,056
<b>CASH FLOWS USED BY CAPITAL &amp; RELATED FINANCING ACTIVITIES:</b>		
Principal Payments on Bonds & Loans	(181,457)	(246,368)
Interest Paid on Bonds & Loans	(12,365)	(49,109)
Purchase/Improvements of Buildings/Furniture/Equipment	-	(79,598)
Net Cash Used By Capital & Related Financing Activities	(193,822)	(375,075)
<b>CASH FLOWS PROVIDED BY INVESTING ACTIVITIES:</b>		
Interest Income	10,665	43,683
Net Cash Provided By Investing Activities	10,665	43,683
Net Change in Cash	100,633	(217,336)
Cash - Beginning of Period	3,306,759	3,624,728
Cash - End of Period	\$ 3,407,392	\$ 3,407,392
<b>RECONCILIATION OF OPERATING EXPENSE TO NET CASH PROVIDED BY OPERATING ACTIVITIES:</b>		
Operating Expense	\$ (41,781)	\$ (510,690)
Adjustments:		
Depreciation Expense	16,112	64,448
Decrease in Land Held For Dev. & Resale	213,877	213,877
Decrease (Increase) in Accounts Receivable	(67)	2,346
Decrease (Increase) in Other Current Assets	5,558	(43,468)
Decrease in Loans Receivable	14,863	224,156
Increase in Operating Accounts Payable	34,263	122,922
Increase in Unearned Revenue	40,965	40,465
Total Adjustments	325,571	624,746
Net Cash Provided By Operating Activities	\$ 283,790	\$ 114,056



**Genesee Gateway Local Development Corp.**  
**Dashboard - April 2024**  
**Balance Sheet - Accrual Basis**

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	<b>GGLDC</b>	<b>GABLLC</b>		<b>COMBINED</b>	
	<u>4/30/24</u>	<u>4/30/24</u>	<u>Eliminations</u>	<u>4/30/24</u>	<u>Per Audit</u>
					<u>12/31/2023</u>
<b>ASSETS:</b>					
Cash - Unrestricted	\$ 716,531	\$ -	\$ -	\$ 716,531	\$ 3,399,008
Cash - Restricted (A)	1,114,469	-	-	1,114,469	1,582,013
Cash - Reserved (B)	1,576,392	2,768,690	-	4,345,082	1,336,281
Cash - Subtotal	<u>3,407,392</u>	<u>2,768,690</u>	<u>-</u>	<u>6,176,082</u>	<u>6,317,302</u>
Accts Receivable - Current	8,974	-	-	8,974	15,520
Interest Receivable - Current	-	-	-	-	8,246
Lease Receivable GASB - Current	522,953	13,946	-	536,899	536,899
Loans Receivable - Current	451,699	-	-	451,699	581,079
Other Current Assets	46,803	-	-	46,803	3,335
<b>Total Current Assets</b>	<b><u>4,437,821</u></b>	<b><u>2,782,636</u></b>	<b><u>-</u></b>	<b><u>7,220,457</u></b>	<b><u>7,462,381</u></b>
Land & Improvements	1,968,357	1,339,730	-	3,308,087	3,521,964
Buildings & Improvements	7,281,719	-	-	7,281,719	7,248,621
Furniture, Fixtures & Equipment	46,599	-	-	46,599	46,599
Total Property, Plant & Equip.	<u>9,296,675</u>	<u>1,339,730</u>	<u>-</u>	<u>10,636,405</u>	<u>10,817,184</u>
Less Accumulated Depreciation	<u>(2,606,713)</u>	<u>-</u>	<u>-</u>	<u>(2,606,713)</u>	<u>(2,542,265)</u>
<b>Net Property, Plant &amp; Equip.</b>	<b><u>6,689,962</u></b>	<b><u>1,339,730</u></b>	<b><u>-</u></b>	<b><u>8,029,692</u></b>	<b><u>8,274,919</u></b>
Lease Receivable GASB - Noncurrent	1,930,390	94,968	-	2,025,358	2,025,358
Loans Receivable - Noncurrent	682,367	-	-	682,367	777,143
Equity Investment in GAB, LLC	2,562,240	-	(2,562,240)	-	-
Equity Investment in STAMP Sewer Works, Inc.	250,000	-	-	250,000	250,000
Equity Investment in STAMP Water Works, Inc.	25,000	-	-	25,000	25,000
<b>Other Assets</b>	<b><u>5,449,997</u></b>	<b><u>94,968</u></b>	<b><u>(2,562,240)</u></b>	<b><u>2,982,725</u></b>	<b><u>3,077,501</u></b>
<b>TOTAL ASSETS</b>	<b><u>16,577,780</u></b>	<b><u>4,217,334</u></b>	<b><u>(2,562,240)</u></b>	<b><u>18,232,874</u></b>	<b><u>18,814,801</u></b>
<b>LIABILITIES:</b>					
Accounts Payable	135,049	-	-	135,049	58,627
Unearned Revenue (1)	40,965	7,299	-	48,264	1,773
Customer Deposit	-	-	-	-	20,000
Security Deposits	109,944	-	-	109,944	109,944
Loans Payable - Current Portion	91,248	-	-	91,248	90,041
Bonds Payable - Noncurrent Portion	144,773	-	-	144,773	156,909
<b>Total Current Liabilities</b>	<b><u>521,979</u></b>	<b><u>7,299</u></b>	<b><u>-</u></b>	<b><u>529,278</u></b>	<b><u>437,294</u></b>
Loans Payable - Noncurrent Portion	1,811,140	-	-	1,811,140	2,001,898
Bonds Payable - Noncurrent Portion	2,135,147	-	-	2,135,147	2,179,828
<b>Total Noncurrent Liabilities</b>	<b><u>3,946,287</u></b>	<b><u>-</u></b>	<b><u>-</u></b>	<b><u>3,946,287</u></b>	<b><u>4,181,726</u></b>
<b>TOTAL LIABILITIES</b>	<b><u>4,468,266</u></b>	<b><u>7,299</u></b>	<b><u>-</u></b>	<b><u>4,475,565</u></b>	<b><u>4,619,020</u></b>
<b>DEFERRED INFLOW OF RESOURCES</b>					
Deferred Inflow - Leases	2,373,512	108,914	-	2,482,426	2,482,426
<b>Total Deferred Inflow of Resources</b>	<b><u>2,373,512</u></b>	<b><u>108,914</u></b>	<b><u>-</u></b>	<b><u>2,482,426</u></b>	<b><u>2,482,426</u></b>
<b>EQUITY</b>	<b><u>\$ 9,736,002</u></b>	<b><u>\$ 4,101,121</u></b>	<b><u>\$ (2,562,240)</u></b>	<b><u>\$ 11,274,883</u></b>	<b><u>\$ 11,713,355</u></b>

**Significant Events:**

1. Unearned Revenue GABLLC - First Light Fiber and HP Hood rent received in advance.

(A) Restricted = DL Community Benefit Agreement (CBA) Funds, Plug Power Host Community Investment Funds, Security Deposits, USDA Debt Sinking Fund.  
(B) Reserved = OCR loan repayments, Strategic Investment Funds, Economic Development Loan Funds, Batavia Metropolitan Area Redevelopment Loan Funds, Grant Funds.

**Genesee Gateway Local Development Corp.  
Dashboard - April 2024  
Profit & Loss - Accrual Basis**

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	<b>GGLDC</b>	<b>GABLLC</b>	<b>Eliminations</b>	<b>COMBINED</b>	
	<u>4/30/24</u>	<u>4/30/24</u>		<u>4/30/24</u>	<u>Combined YTD</u>
<b><u>Operating Revenues:</u></b>					
Grants	\$ 2,000	\$ -	\$ -	\$ 2,000	\$ 27,000
Interest Income on Loans	3,657	-	-	3,657	14,606
Rent	62,440	7,299	-	69,739	279,712
Lease Revenue	-	-	-	-	-
Common Area Fees - Parks Fees	-	-	-	-	12,274
Other Revenue <sup>(1)</sup>	162	20,000	-	20,162	20,440
Land Sale Proceeds	200,000	-	-	200,000	200,000
<b>Total Operating Revenues</b>	<b>268,259</b>	<b>27,299</b>	<b>-</b>	<b>295,558</b>	<b>554,032</b>
<b><u>Operating Expenses:</u></b>					
Operations & Maintenance	5,243	-	-	5,243	75,257
Professional Services	7,262	-	-	7,262	29,048
Econ. Dev. Program Support Grant	25,000	-	-	25,000	100,000
Site Development Expense	-	-	-	-	485,753
Cost of Sales	254,423	-	-	254,423	254,423
Grant Expense	2,000	-	-	2,000	2,000
Buildings/Furniture/Equipment (Capita	-	-	-	-	33,098
Balance Sheet Absorption	-	-	-	-	(33,098)
Depreciation	16,112	-	-	16,112	64,448
<b>Total Operating Expenses</b>	<b>310,040</b>	<b>-</b>	<b>-</b>	<b>310,040</b>	<b>1,010,929</b>
<b>Operating Revenue (Expense)</b>	<b>(41,781)</b>	<b>27,299</b>	<b>-</b>	<b>(14,482)</b>	<b>(456,897)</b>
<b><u>Non-Operating Revenues (Expenses):</u></b>					
Other Interest Income	10,665	6,687	-	17,352	67,534
Interest Expense	(12,365)	-	-	(12,365)	(49,109)
<b>Total Non-Operating Rev (Exp)</b>	<b>(1,700)</b>	<b>6,687</b>	<b>-</b>	<b>4,987</b>	<b>18,425</b>
<b>Change in Net Assets</b>	<b>(43,481)</b>	<b>33,986</b>	<b>-</b>	<b>(9,495)</b>	<b>(438,472)</b>
<b>Net Assets - Beginning</b>	<b>9,779,483</b>	<b>4,067,135</b>	<b>(2,562,240)</b>	<b>11,284,378</b>	<b>11,713,355</b>
<b>Net Assets - Ending</b>	<b>\$ 9,736,002</b>	<b>\$ 4,101,121</b>	<b>\$ (2,562,240)</b>	<b>\$ 11,274,883</b>	<b>\$ 11,274,883</b>

**Significant Events:**

1. Other Revenue GABLLC - Real estate purchase option agreement with CH4Biogas expired, recorded non-refundable deposit as revenue.

## **Genesee Gateway Local Development Corporation Audit and Finance Committee Charter**

This Audit and Finance Committee Charter was re-adopted on this 29<sup>th</sup> day of June, 2023 by the Board of Directors of the Genesee Gateway Local Development Corporation (GGLDC) a corporation as defined in subparagraph (a)(5) of Section 102 of the Not-For-Profit Corporation Law of the State of New York and, as provided in Section 1411 of the Not-For-Profit Corporation Law, a Type C Corporation as defined in Section 201 of the Not-For-Profit Corporation Law established under the laws of the State of New York.

### **Purpose**

Pursuant to Article IV, Section 1. of the GGLDC's bylaws, the purpose of the audit and finance committee shall be to (1) assure that the GGLDC's board fulfills its responsibilities for the GGLDC's internal and external audit process, the financial reporting process and the system of risk assessment and internal controls over financial reporting; (2) provide an avenue of communication between management, the independent auditors, and the board of directors; and (3) to review proposals for the issuance of debt and to make recommendations..

### **Powers of the Audit and Finance Committee**

It shall be the responsibility of the audit and finance committee to:

- Appoint, compensate, and oversee the work of any public accounting firm employed by the GGLDC.
- Conduct or authorize investigations into any matters within its scope of responsibility.
- Seek any information it requires from GGLDC employees, all of whom should be directed by the board to cooperate with committee requests.
- Meet with GGLDC staff, independent auditors or outside counsel, as necessary.
- Retain, at the GGLDC's expense, such outside counsel, experts and other advisors as the audit and finance committee may deem appropriate.
- Review proposals for debt issuance and to make recommendations.

The GGLDC board will ensure that the audit and finance committee have sufficient resources to carry out its duties.

### **Composition of Committee and Selection of Members**

The audit and finance committee shall be established as set forth in and pursuant to Article IV, Section 1 of the GGLDC's bylaws. The audit and finance committee shall consist of the Board Chair and at least three additional "independent members", within the meaning of, and to the extent required by, Section 2825 of New York Public Authorities Law, as amended from time to time. The audit and finance committee members shall be appointed by the Board Chair.

Ideally, all members of the audit and finance committee shall possess or obtain a basic understanding of governmental financial reporting and auditing.

The audit and finance committee shall have access to the services of at least one financial expert.

The audit and finance committee's financial expert should have 1) an understanding of generally accepted accounting principles and financial statements; 2) experience in preparing or auditing financial statements of comparable entities; 3) experience in applying such principles in connection with accounting for estimates, accruals and reserves; 4) experience with internal accounting controls, 5) experience with debt issuances, and 6) an understanding of audit and finance committee functions.

### **Meetings**

The audit and finance committee will meet a minimum of twice a year, with the expectation that additional meetings may be required to adequately fulfill all the obligations and duties outlined in the charter.

Members of the audit and finance committee are expected to attend such committee meeting. The audit and finance committee may invite other individuals, such as members of management, auditors or other technical experts to attend meetings and provide pertinent information as necessary.

The audit and finance committee will meet with the authority's independent auditor at least annually to discuss the financial statements of the GGLDC.

Meeting agendas will be prepared for every meeting and provided to the audit and finance committee members along with the briefing materials 2 business days before the scheduled audit and finance committee meeting. The audit and finance committee will act only on the affirmative vote of a majority of the members at a meeting. Minutes of those meetings will be recorded.

### **Responsibilities**

The audit and finance committee shall have responsibilities related to: (a) the independent auditor and the annual financial statements; (b) the GGLDC's internal auditors (if any); (c) oversight of management's internal controls, compliance and risk assessment practices; (d) special investigations and whistleblower policies; (e) issuances of debt and (f) miscellaneous issues related to the financial practices of the GGLDC.

The audit and finance committee shall also be responsible for reviewing financial statement accuracy and review of Revolving Loan Fund requests.

## **A. Independent Auditors and Financial Statements**

The audit and finance committee shall:

- Recommend to the board of the GGLDC the appointment of independent auditors retained by the GGLDC and pre-approve all audit services provided by the independent auditor.
- Establish procedures for the engagement of the independent auditor to provide permitted audit services. The GGLDC's independent auditor shall be prohibited from providing non-audit services unless having received previous written approval from the audit and finance committee. Non-audit services include tasks that directly support the GGLDC's operations, such as bookkeeping or other services related to the accounting records or financial statements of the authority, financial information systems design and implementation, appraisal or valuation services, actuarial services, investment banking services, and other tasks that may involve performing management functions or making management decisions.
- Review and approve the GGLDC's audited financial statements, associated management letter, report on internal controls and all other auditor communications.
- Review significant accounting and reporting issues, including complex or unusual transactions and management decisions, and recent professional and regulatory pronouncements, and understand their impact on the financial statements.
- Meet with the independent audit firm on a regular basis to discuss any significant issues that may have surfaced during the course of the audit.
- Review and discuss any significant risks reported in the independent audit findings and recommendations and assess the responsiveness and timeliness of management's follow-up activities pertaining to same.

**B. Internal Controls, Compliance and Risk Assessment**

The audit and finance committee shall:

- Review management's assessment of the effectiveness of the GGLDC's internal controls and review the report on internal controls by the independent auditor as part of the financial audit engagement.

**C. Special Investigations**

The audit and finance committee shall:

- Ensure that the GGLDC has an appropriate confidential mechanism for individuals to report suspected fraudulent activities, allegations of corruption, fraud, criminal activity, conflicts of interest or abuse by the directors, officers, or employees of the authority or any persons having business dealings with the GGLDC, or breaches of internal control.
- Develop procedures for the receipt, retention, investigation and/or referral of complaints concerning accounting, internal controls and auditing to the appropriate body.
- Request and oversee special investigations as needed and/or refer specific issues to the appropriate body for further investigation (for example, issues may be referred to the State Inspector General or, other investigatory organization.)
- Review all reports delivered to it by the Inspector General and serve as a point of contact with the Inspector General.

**D. Other Responsibilities of the Audit and Finance committee**

The audit and finance committee shall:

- Present annually to the GGLDC's board a report of how it has discharged its duties and met its responsibilities as outlined in the charter.
- Obtain any information and training needed to enhance the committee members' understanding of the role of internal audits and the independent auditor, the risk management process, internal controls and a certain level of familiarity in financial reporting standards and processes.
- Review the committee's charter annually, reassess its adequacy, and recommend any proposed changes to the board of the authority. The audit and finance committee charter will be updated as applicable laws, regulations, accounting and auditing standards change.
- Conduct an annual self-evaluation of its performance, including its effectiveness and compliance with the charter and request the board approval for proposed changes.
- Review proposals for the issuance of debt and to make recommendations.

**Audit & Finance Committee**

**MedTech Centre trouble shoot parking lot light issues**

**Discussion:** In order to diagnose the current problem with the parking lot lighting (there are a number of lights not working) at 99 MedTech Drive, Gilligan Electric proposes to:

1. provide a aerial lift to check wire terminations, voltages, driver conditions, brand name and model number of fixtures
2. check complete electrical circuit from breakers at panel to hand holes located at each individual pole
3. labor will be paid at above the current prevailing wage

The cost of this investigation will not exceed \$4,000.00 (this includes lift cost, small parts, labor).

**Fund Commitment:** Not to exceed \$4,000 from MedTech Centre operating funds.

**Board Action Request:** Recommend approval of the proposal to trouble shoot parking lot light issues to Gilligan Electric.