

**Town of Colonie
Local Development Corporation**

Financial Report

December 31, 2019 and 2018

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Local Development Corporation**

Financial Report

December 31, 2019 and 2018

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Independent Auditor's Report

Chairman and Corporation Board
Town of Colonie Local Development Corporation
Latham, New York

Report on the Financial Statements

We have audited the accompanying financial statements of the Town of Colonie Local Development Corporation (Corporation) as of and for the years ended December 31, 2019 and 2018, and the related notes to the financial statements, which collectively comprise the Corporation's basic financial statements as listed in the table of contents.

Management's Responsibility for the Financial Statements

Management is responsible for the preparation and fair presentation of these financial statements in accordance with accounting principles generally accepted in the United States of America; this includes the design, implementation and maintenance of internal control relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to fraud or error.

Auditor's Responsibility

Our responsibility is to express an opinion on these financial statements based on our audits. We conducted our audits in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States. Those standards require that we plan and perform the audit to obtain reasonable assurance about whether the financial statements are free from material misstatement.

An audit involves performing procedures to obtain audit evidence about the amounts and disclosures in the financial statements. The procedures selected depend on the auditor's judgment, including the assessment of the risks of material misstatement of the financial statements, whether due to fraud or error. In making those risk assessments, the auditor considers internal control relevant to the entity's preparation and fair presentation of the financial statements in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the entity's internal control. Accordingly, we express no such opinion. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluating the overall presentation of the financial statements.

We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinion.

Opinion

In our opinion, the financial statements referred to above present fairly, in all material respects, the financial position of the Corporation as of December 31, 2019 and 2018, and the changes in its financial position and its cash flows for the years then ended in accordance with accounting principles generally accepted in the United States of America.

Other Matters

Required Supplementary Information

Accounting principles generally accepted in the United States of America require that management's discussion and analysis on pages 3 through 5 be presented to supplement the basic financial statements. Such information, although not a part of the basic financial statements, is required by the Governmental Accounting Standards Board, who considers it to be an essential part of financial reporting for placing the basic financial statements in an appropriate operational, economic, or historical context. We have applied certain limited procedures to the required supplementary information in accordance with auditing standards generally accepted in the United States of America, which consisted of inquiries of management about the methods of preparing the information and comparing the information for consistency with management's responses to our inquiries, the basic financial statements, and other knowledge we obtained during our audit of the basic financial statements. We do not express an opinion or provide any assurance on the information because the limited procedures do not provide us with sufficient evidence to express an opinion or provide any assurance.

Supplementary Information

Our audit was conducted for the purpose of forming an opinion on the financial statements that collectively comprise the Corporation's basic financial statements. The schedule of indebtedness is presented for purposes of additional analysis and is not a required part of the basic financial statements. The schedule of indebtedness is the responsibility of management and was derived from and relates directly to the underlying accounting and other records used to prepare the basic financial statements. Such information has been subjected to the auditing procedures applied in the audits of the basic financial statements and certain additional procedures, including comparing and reconciling such information directly to the underlying accounting and other records used to prepare the basic financial statements, or to the basic financial statements themselves, and other additional procedures in accordance with auditing standards generally accepted in the United States of America. In our opinion, the schedule of indebtedness is fairly stated, in all material respects, in relation to the basic financial statements as a whole.

Other Reporting Required by *Government Auditing Standards*

In accordance with *Government Auditing Standards*, we have also issued our report dated March 30, 2020, on our consideration of the Corporation's internal control over financial reporting and on our tests of its compliance with certain provisions of laws, regulations, contracts, and grant agreements and other matters. The purpose of that report is solely to describe the scope of our testing of internal control over financial reporting and compliance and the results of that testing, and not to provide an opinion on the effectiveness of the Corporation's internal control over financial reporting or on compliance. That report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering the Corporation's internal control over financial reporting and compliance.

BST & CO. CPAs, LLP

Albany, New York
March 30, 2020



Town of Colonie Local Development Corporation

Management's Discussion and Analysis December 31, 2019 and 2018

The following Management's Discussion and Analysis (MD&A) is required supplementary information to the Town of Colonie Local Development Corporation (Corporation) financial statements. It provides an introduction and overview of the financial activities and performance of the Corporation for the years ended December 31, 2019 and 2018. This information should be reviewed in conjunction with the financial statements of the Corporation.

Overview of Financial Statements

The Corporation's financial statements are prepared on the accrual basis in accordance with accounting principles generally accepted in the United States of America promulgated by the Governmental Accounting Standards Board (GASB). The Corporation is structured as a single enterprise fund with revenues recognized when earned, not when received. Expenses are recognized when incurred, not when they are paid. Capital assets, if any, are capitalized and are depreciated over their useful lives. See notes to the financial statements for a summary of the Corporation's significant accounting policies.

The *Statements of Net Position* present information on the Corporation's assets and liabilities, with the difference between the two reported as net position. Over time, increases or decreases in net position may serve as a useful indicator of the Corporation's financial position.

The *Statements of Revenues, Expenses, and Changes in Net Position* present information showing how the Corporation's net position changed during the most recent years. All changes in net position are reported as soon as the underlying event giving rise to the change occurs, regardless of the timing of related cash flows. Thus, revenues and expenses reported in these statements for some items will result in cash flows in future periods.

The *Statements of Cash Flows* relate to the flows of cash. Consequently, only transactions that affect the Corporation's cash accounts are recorded in these statements. A reconciliation is provided at the bottom of the statement of cash flows to assist in the understanding of the difference between cash flows from operating activities and operating income.

In addition to the basic financial statements and accompanying notes, this report also presents the *Supplemental Schedule of Indebtedness*.

Financial Highlights

In 2010, the Corporation was formed and began implementing strategies to support economic activity in the Town that is otherwise not permissible under New York State law by the Town of Colonie Industrial Development Agency (Agency).

From 2011 through 2014 the Corporation successfully closed on its first development project, which consisted of three phases. In 2018 the Corporation assisted with the fourth and final phase of its first project. The Shaker Pointe at Carondelet, Inc. Project provides a full-service retirement residence community and resulted in the issuance of a total of \$48.7 million in Multi-Modal Revenue Bonds. This project generated a total of \$298,500 in fees for the Corporation between 2011 and 2018.

In June 2016 the Corporation closed on its second development project, The Colonie Senior Service Centers, Inc. Elks Lane senior housing project. This project provides a full-service retirement residence community to low- and moderate-income seniors. The project resulted in the issuance of \$12.8 million in Multi-Modal Revenue Bonds which generated \$64,000 in fees for the Corporation in 2016.

Town of Colonie Local Development Corporation

Management's Discussion and Analysis December 31, 2019 and 2018

Financial Analysis of the Corporation

One other project submitted an application to Corporation during 2019, but the application was withdrawn.

The tables below present condensed financial information derived from the Corporation's financial statements as of and for the years ended December 31, 2019, 2018, and 2017.

Condensed Statements of Net Position

	December 31,			Increase (Decrease) 2019-2018	Increase (Decrease) 2018-2017
	2019	2018	2017		
ASSETS					
Current assets	\$ 268,322	\$ 279,731	\$ 228,872	\$ (11,409)	\$ 50,859
LIABILITIES AND NET POSITION					
LIABILITIES	\$ -	\$ 579	\$ 200	\$ (579)	\$ 379
NET POSITION					
Unrestricted	268,322	279,152	228,672	(10,830)	50,480
Total liabilities and net position	\$ 268,322	\$ 279,731	\$ 228,872	\$ (11,409)	\$ 50,859

Condensed Statements of Revenues, Expenses, and Changes in Net Position

	Years Ended December 31,			Increase (Decrease) 2019-2018	Increase (Decrease) 2018-2017
	2019	2018	2017		
Revenues					
Administrative fees	\$ -	\$ 62,500	\$ -	\$ (62,500)	\$ 62,500
Application income	250	250	-	-	250
Interest income	499	408	111	91	297
Total revenue	749	63,158	111	(62,409)	63,047
Expenses					
Administrative expenses	3,754	3,795	3,814	(41)	(19)
Professional fees	7,825	8,883	9,088	(1,058)	(205)
Total expenses	11,579	12,678	12,902	(1,099)	(224)
Change in net position	\$ (10,830)	\$ 50,480	\$ (12,791)	\$ (61,310)	\$ 63,271

The annual fees for services are tied to the size and timing of economic activity projects, so will, therefore, fluctuate from year to year depending upon this activity. As previously noted in the financial highlights section, 2011 marked the Corporation's first year of substantial activity culminating in the closing of its first development project in December 2011. The Shaker Pointe at Carondelet Project was a four-phase project that resulted in the issuance of \$48.7 million in bonds which provided the Corporation with \$298,500 in fee revenue between 2011 and 2018.

The Colonie Senior Service Center, Inc. project closed in June of 2016 generating fee revenue of \$64,250.

Town of Colonie Local Development Corporation

Management's Discussion and Analysis
December 31, 2019 and 2018

Financial Analysis of the Corporation - Continued

During 2019, as in prior years, the Corporation's expenses were primarily for liability insurance, annual management fee, website maintenance, general legal counsel and independent audit services. During this time, the costs have remained relatively stable. In 2019, audit and legal services were slightly reduced.

During 2018 the Corporation changed financial institutions and was able to increase its rate of return thereby increasing the interest earned.

Contacting the Corporation's Financial Management

This financial report is designed to provide our citizens, taxpayers, customers, investors, and creditors with a general overview of the Corporation's finances and to demonstrate the Corporation's accountability for the funds it receives. If you have any questions about this report or need additional financial information, contact Town of Colonie Comptroller's Office, at Colonie Town Hall, 534 Loudon Road, Latham, New York 12110.

**Town of Colonie
Local Development Corporation**

Statements of Net Position

	December 31,	
	2019	2018
ASSETS		
CURRENT ASSETS		
Cash	\$ 267,368	\$ 278,783
Prepaid expenses	954	948
Total current assets	\$ 268,322	\$ 279,731
LIABILITIES AND NET POSITION		
CURRENT LIABILITIES		
Accrued expenses	\$ -	\$ 579
NET POSITION		
Unrestricted	268,322	279,152
	\$ 268,322	\$ 279,731

**Town of Colonie
Local Development Corporation**

Statements of Revenues, Expenses, and Changes in Net Position

	Years Ended December 31,	
	2019	2018
OPERATING REVENUES		
Administrative fees	\$ -	\$ 62,500
Application income	250	250
	250	62,750
OPERATING EXPENSES		
Administrative expenses		
Insurance fees	1,754	1,778
Management fees	2,000	2,000
Postage, office supplies, and other	-	17
Professional fees		
Legal fees	2,693	4,583
Website maintenance	2,632	1,300
Other professional costs	2,500	3,000
	11,579	12,678
Operating income (loss)	(11,329)	50,072
OTHER INCOME		
Interest income	499	408
	499	408
Change in net position	(10,830)	50,480
NET POSITION, <i>beginning of year</i>	279,152	228,672
NET POSITION, <i>end of year</i>	\$ 268,322	\$ 279,152

**Town of Colonie
Local Development Corporation**

Statements of Cash Flows

	Years Ended December 31,	
	2019	2018
CASH FLOWS PROVIDED (USED) BY OPERATING ACTIVITIES		
Receipts from customers	\$ 250	\$ 62,750
Payments to vendors	(12,164)	(12,271)
	(11,914)	50,479
CASH FLOWS PROVIDED (USED) BY INVESTING ACTIVITIES		
Interest income received	499	408
Net increase (decrease) in cash	(11,415)	50,887
CASH, beginning of year	278,783	227,896
CASH, end of year	\$ 267,368	\$ 278,783
RECONCILIATION OF OPERATING INCOME (LOSS) TO NET CASH PROVIDED (USED) BY OPERATING ACTIVITIES		
Operating income (loss)	\$ (11,329)	\$ 50,072
Adjustments to reconcile operating income (loss) to net cash provided (used) by operating activities		
Decrease in prepaid expenses	(6)	28
(Decrease) increase in accrued expenses	(579)	379
	\$ (11,914)	\$ 50,479

Town of Colonie Local Development Corporation

Notes to Financial Statements
December 31, 2019 and 2018

Note 1 - Organization and Summary of Significant Accounting Policies

a. Business Organization

The Town of Colonie Local Development Corporation (Corporation) was created in 2010 by the Town of Colonie (Town) under Sections 402 and 1411 of the Not-for-Profit Corporation Law of New York State for the purpose of encouraging growth in the Town. The Corporation is exempt from federal, state, and local income taxes. The Corporation, although established by the Town, is a separate entity and operates independently of the Town. Corporation members have complete responsibility for management of the Corporation and accountability for fiscal matters. Neither the Town, the Corporation, nor any political subdivision thereof, is obligated in any manner for repayment of the bonds, notes, and straight leases as described in Note 4. Accordingly, they are not reported as liabilities in the accompanying financial statements.

b. Basis of Accounting and Financial Statement Presentation

The accounts of the Corporation are maintained in a single proprietary fund on the economic resources measurement focus and the accrual basis of accounting in accordance with accounting principles generally accepted in the United States of America (U.S. GAAP) for government entities. The Governmental Accounting Standards Board (GASB) is the primary standard-setting body for establishing governmental accounting and financial reporting principles. With this measurement focus, all assets and liabilities associated with operations are included on the statement of net position.

Net position is presented in the following categories:

Investment in capital assets - Consists of capital assets, net of accumulated depreciation. There was no investment in capital assets at December 31, 2019 and 2018.

Restricted - Consists of assets with externally placed constraints net of liabilities that will be liquidated from those assets. There was no restricted net position at December 31, 2019 and 2018.

Unrestricted - Consists of all other net position that does not meet the definition of "investment in capital assets."

Revenues are recognized when earned, and expenses are recognized when incurred. The Corporation distinguishes operating revenues and expenses from nonoperating items. Operating revenues are determined based on the services provided by the Corporation. Operating expenses include the costs associated with providing those services. All revenues and expenses not meeting this definition are reported as nonoperating revenues and expenses.

c. Estimates

The preparation of financial statements requires management to make estimates and assumptions that affect the reported amounts of assets and liabilities at the date of the financial statements and the reported amounts of revenues and expenses during the reporting year. Actual results could differ from those estimates.

d. Subsequent Events

The Corporation has evaluated subsequent events for potential recognition or disclosure through March 30, 2020, the date the financial statements were available to be issued.

Town of Colonie Local Development Corporation

Notes to Financial Statements
December 31, 2019 and 2018

Note 2 - Cash

The Corporation's investment policies are governed by state statutes. In addition, the Corporation has its own written investment policy. Corporation monies must be deposited in Federal Deposit Insurance Corporation (FDIC) insured commercial banks or trust companies located within the state. Permissible investments include obligations of the U.S. Treasury and U.S. agencies, repurchase agreements, obligations of New York State or its localities, and Certificates of Participation.

In accordance with the provisions of Section 10 of the General Municipal Law of New York State, all Corporation deposits, including certificates of deposit and special time deposits in excess of the amount insured under the provisions of the Federal Deposit Insurance Act, shall be collateralized by a pledge of eligible securities, letters of credit, or surety bonds. As of December 31, 2019 and 2018, the FDIC insurance was sufficient to secure the Corporation's deposits.

The written investment policy requires repurchase agreements to be purchased from banks located within the State and that underlying securities must be obligations of the federal government.

All investment obligations shall be payable or redeemable at the option of the Corporation within such times as the proceeds will be needed to meet expenditures for purposes for which the monies were provided and, in the case of obligations purchased with the proceeds of bonds or notes, shall be payable or redeemable at the option of the Corporation within two years of the date of purchase. The Corporation did not have any investments for the periods ended December 31, 2019 and 2018.

Note 3 - Related Party Transactions

The Comptroller, Purchasing, and Planning and Economic Development Departments of the Town provide staff support and office space to the Corporation. The Corporation has entered into an annual agreement with the Town for reimbursement of these costs. The management fee with the Town was \$2,000 for both 2019 and 2018.

Note 4 - Industrial Revenue Bond and Note Transactions

Certain revenue bonds, notes, and straight leases issued by the Corporation are secured by property which is leased to companies and is retired by these payments. The bonds, notes, and straight leases are not obligations of the Corporation or the Town. The Corporation does not record the assets or liabilities resulting from completed bonds, notes, and straight leases issued in its accounts, since its primary function is to arrange the financing between the borrowing companies and the bond, note, and lease holders, and funds arising there from are controlled by trustees or banks acting as fiscal agents. For providing this service, the Corporation receives administration fees from the borrowing companies. Such administrative fee income is recognized upon authorization and closing of bonds. No revenue bonds were authorized in 2019. One revenue bond was authorized in 2018 in the amount of \$12,500,000, of which \$4,079,329 was issued during 2018, and \$790,300 was used to refinance the balance of a 2014 revenue bond. The unissued portion, totaling \$8,420,671, is available for future drawdowns. Revenue bonds outstanding at December 31, 2019 and 2018, were \$45,046,601 and \$37,388,082, respectively.

**Town of Colonie
Local Development Corporation**

Supplementary Information - Schedule of Indebtedness

<u>Project Description</u>	<u>Year Ended December 31, 2019</u>							
	<u>Original Issue Amount</u>	<u>Original Issue Date</u>	<u>Current Interest Rate</u>	<u>Outstanding January 1, 2019</u>	<u>Issued During 2019</u>	<u>Principal Payments 2019</u>	<u>Outstanding December 31, 2019</u>	<u>Final Maturity Date</u>
Shaker Pointe at Carondelet	\$ 10,000,000	12/11	0.01%	\$ 9,285,000	\$ -	\$ 255,000	\$ 9,030,000	12/2041
Shaker Pointe at Carondelet	12,000,000	12/13	0.01%	11,410,000	-	310,000	11,100,000	12/2041
Shaker Pointe at Carondelet	12,500,000 *	06/18	5.15%	4,079,329	8,420,671	-	12,500,000	06/2048
Colonie Senior Service Centers	12,800,000 *	05/16	3.49%	12,613,753	-	197,152	12,416,601	5/1/2046
				<u>\$ 37,388,082</u>	<u>\$ 8,420,671</u>	<u>\$ 762,152</u>	<u>\$ 45,046,601</u>	

* This is debt that has been issued on a drawdown basis.



**Report on Internal Control Over Financial Reporting
and on Compliance and Other Matters Based on an Audit
of Financial Statements Performed in Accordance
With *Government Auditing Standards***

Chairman and Corporation Board
Town of Colonie Local Development Corporation
Latham, New York

We have audited, in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States, the financial statements of the Town of Colonie Local Development Corporation (Corporation), as of and for the year ended December 31, 2019, and the related notes to the financial statements, which collectively comprise the Corporation's basic financial statements, and have issued our report thereon dated March 30, 2020.

Internal Control Over Financial Reporting

In planning and performing our audit of the financial statements, we considered the Corporation's internal control over financial reporting (internal control) to determine the audit procedures that are appropriate in the circumstances for the purpose of expressing our opinion on the financial statements, but not for the purpose of expressing an opinion on the effectiveness of the Corporation's internal control. Accordingly, we do not express an opinion on the effectiveness of the Corporation's internal control.

A deficiency in internal control exists when the design or operation of a control does not allow management or employees, in the normal course of performing their assigned functions, to prevent, or detect and correct, misstatements on a timely basis. A material weakness is a deficiency, or a combination of deficiencies, in internal control, such that there is a reasonable possibility that a material misstatement of the entity's financial statements will not be prevented, or detected and corrected on a timely basis. A significant deficiency is a deficiency, or a combination of deficiencies, in internal control that is less severe than a material weakness, yet important enough to merit attention by those charged with governance.

Our consideration of internal control was for the limited purpose described in the first paragraph of this section and was not designed to identify all deficiencies in internal control that might be material weaknesses or significant deficiencies. Given these limitations, during our audit we did not identify any deficiencies in internal control that we consider to be material weaknesses. However, material weaknesses may exist that have not been identified.

Compliance and Other Matters

As part of obtaining reasonable assurance about whether the Corporation's financial statements are free from material misstatement, we performed tests of its compliance with certain provisions of laws, regulations, contracts, and grant agreements, noncompliance with which could have a direct and material effect on the determination of financial statement amounts. However, providing an opinion on compliance with those provisions was not an objective of our audit, and accordingly, we do not express such an opinion. The results of our tests disclosed no instances of noncompliance or other matters that are required to be reported under *Government Auditing Standards*.

Purpose of this Report

The purpose of this report is solely to describe the scope of our testing of internal control and compliance and the results of that testing, and not to provide an opinion on the effectiveness of the entity's internal control or on compliance. This report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering the entity's internal control and compliance. Accordingly, this communication is not suitable for any other purpose.

BST & CO. CPAs, LLP

Albany, New York
March 30, 2020