

CHEEKTOWAGA ECONOMIC DEVELOPMENT CORPORATION

Board of Directors Meeting
February 5, 2025 - 6:00 p.m.
Zoom Meeting

Board of Directors

Attending

Robert Lowery, President
Paul Gilden
Ethan Ruot
David Tytka
Richard Willis, Secretary
James Burns
Derik Kane
Jason Mackiewicz

Excused: James Antkowiak

Not in Attendance: Denis Serugendo

Resource Personnel and Guests in Attendance

Rachel Straker, Cheektowaga Director of Community Development
Evan Bussiere, Legal Counsel, Hurwitz Fine, P.C.
Michael Thomas, The Harrison Studio, H. Sichernman & Company
Dale Marie Parks, Cheektowaga Community Development Planner
Jerome Gabryszak, Cheektowaga Community Development Aide

The meeting was called to order at 6:05 p.m. by President Robert Lowery. It was noted that a quorum was present.

Approval of Minutes

The minutes for meetings dated 10/9/2024 and 12/4/2024 were provided to the Board prior to the meeting. There were no corrections or modifications suggested.

Motion by: David Tytka

Seconded by: James Burns

Motion: To approve the minutes for 10/9/2024 and 12/4/2024 as presented.

Vote: Ayes 8 Nays 0 Abstentions 0

Financial Report

The financial reports for July 1, 2024 – September 30, 2024, and October 1, 2024 – December 31, 2024, were provided to the Board of Directors prior to the meeting. The Treasurer was not in attendance, so the Financial Reports were not read and reviewed. There was no vote conducted to approve the financial reports for July 1, 2024 – September 30, 2024, and October 1, 2024 – December 31, 2024.

Budget

The budgets for FY 2024-25 and FY 2025-26 were provided to the Board of Directors prior to the meeting. Rachel Straker stated that the current FY budget was approved by the Budget Committee but was not

approved by the Board and has not been submitted to the State. The FY runs April 1st through March 31st. There were no corrections or modifications suggested.

Motion by: David Tytka
Seconded by: James Burns
Motion: To approve the budgets for FY 2024-25 and FY 2025-26 as presented.
Vote: Ayes 8 Nays 0 Abstain 0

Status Reports

Prospective Loans – M. Thomas, The Harrison Studio

First Friends Day Care:

Rob and Emily Thrasher, owners of First Friends Daycare have an application and needs list from The Harrison Studio. They spoke with Mike, and this is a pretty big project focused on ground-up construction. The CEDC would not provide funding for the construction project but could provide them with working capital. Mike anticipates funding in the \$100K to \$150K range to bridge the gap after they obtain construction funding for the expansion.

Review of Existing Loans and Payment Status – Rachel Straker

Gordon Companies

Rachel reported that Gordon Companies has a new bookkeeper. They have provided a schedule of payments in order to come current with their loan. Rachel started sending invoices to the outstanding loan recipients on the 16th of the month. She applies the late fees on the 15th and sends the invoice out. Gordon Companies made 3 payments and are now paid through June. They state that they will be issuing payments every two weeks. The bookkeeper mentioned that they can and want to set up ACH payments. Rachel wanted to make sure the Board wanted to set this up. The Board was unanimous in stating that Rachel should work with the Gordon Companies bookkeeper to set this up.

Hanzlian's

Rachel reported that Hanzlian's owes all of last year. Rachel had spoken to Kim in November and Kim stated that she wanted to make interest only payments until March of 2025. She did send in three payments and all three payments bounced. Kim did contact Rachel to let her know there were insufficient funds. Rachel requested new checks but did not receive any. Evan Bussiere spoke with Kim. She is experiencing financial distress and is trying to refinance her debt. He advised her that we will need to send out a demand letter soon. Evan suggested issuing said demand letter to start the paper trail. Rachel will send the invoice on the 16th as usual. Evan will send the letter of demand and request the financial paperwork and other documents she is supposed to be submitting. Evan highly recommended that we require ACH going forward with new loans. Everyone was in agreement regarding this issue.

Professional Service Contracts

Rachel reported that she has received an estimate from EFPR for the Audit RFP. She is waiting for one other estimate from one other firm she contacted. As soon as she receives it, she will forward it to the Board by email for review. Then she will set up a vote.

Approval of Policies

The proposed policies for Procurement (new), By-Laws (updated), and Records Management (updated) were provided to the Board prior to the meeting. There were no corrections or modifications suggested.

Motion by: Richard Willis
Seconded by: David Tytko
Motion: To adopt the Procurement (new), By-Laws (updated), and Records Management (updated) Policies as presented.
Vote: Ayes 8 Nays 0 Abstentions 0 .

New Business

Bank signature cards:

Per the by-laws the President, Treasurer, and Secretary have signatory authority for the Corporation. Jason will need a copy of the meeting minutes removing Kristina Groff from the Board in order to remove her signature card from Key Bank. Richard Willis will need to stop at the branch and see Jason to fill out the signature card. Jason will also set up online banking for the Corporation. Signers will have full access, and Rachel will be given look only access, so she will be able to track ACH payments as they are received. The Board agreed to set up online banking.

Other Items for Review / Discussion

- The web site has been modified. The Community Development Office just needs to update the Loan tab to include the outstanding loans. Please take a look at the site and let us know if any additional modifications are needed.
- In the past the Town of Cheektowaga Board used to appoint members to the Corporation. They no longer do this, and we updated the By-Laws to reflect this. The Corporation used to have to fill out ethics paperwork for the Town, but now they no longer have to. Should we be filing ethics/financial forms? Evan stated that he has a really good compliance associate that he will have look at everything. They will make sure we are in compliance with everything we need to do. Evan stated that his associate will have a memo ready for the next meeting showing what we need to do to stay in compliance. They will coordinate deadlines with our meeting dates to make sure we stay in compliance.
- The Annual Board Meeting will be held on April 2nd at 6:00pm. Meeting place to be determined. Officers will be appointed at this meeting. Please think about officer roles.
- Thank you to Rachel, Dale, and Jerry for their work.
- Thank you all for your time and commitment.

Adjourn

Motion by: Jason Mackiewicz
Seconded by: Richard Willis
Motion: To adjourn the Board of Directors meeting.

The meeting was adjourned at 6:40 p.m.



Signature of Secretary