

**TOWN OF CLARENCE**  
**INDUSTRIAL DEVELOPMENT AGENCY**

*Basic Financial Statements, Required Supplementary  
Information, Supplementary Information and Other  
Information for the Years Ended December 31, 2023  
and 2022 and Independent Auditors' Reports*



**TOWN OF CLARENCE INDUSTRIAL DEVELOPMENT AGENCY**  
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**Years Ended December 31, 2023 and 2022**

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### **INDEPENDENT AUDITORS' REPORT**

The Board of Directors of the Town of Clarence  
Industrial Development Agency:

#### **Report on the Audit of the Financial Statements**

##### ***Opinions***

We have audited the financial statements of the Town of Clarence Industrial Development Agency (the "Agency"), as of and for the years ended December 31, 2023 and 2022, and the related notes to the financial statements, which collectively comprise the Agency's basic financial statements as listed in the table of contents.

In our opinion, the accompanying financial statements present fairly, in all material respects, the financial position of the Agency, as of December 31, 2023 and 2022, and the respective changes in its financial position and cash flows thereof for the years then ended in accordance with accounting principles generally accepted in the United States of America.

##### ***Basis for Opinions***

We conducted our audits in accordance with auditing standards generally accepted in the United States of America ("GAAS") and the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States. Our responsibilities under those standards are further described in the Auditors' Responsibilities for the Audit of the Financial Statements section of our report. We are required to be independent of the Agency and to meet our other ethical responsibilities, in accordance with the relevant ethical requirements relating to our audit. We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinions.

##### ***Responsibilities of Management for the Financial Statements***

Agency management is responsible for the preparation and fair presentation of the financial statements in accordance with accounting principles generally accepted in the United States of America, and for 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.

In preparing the financial statements, management is required to evaluate whether there are conditions or events, considered in the aggregate, that raise substantial doubt about the Agency's ability to continue as a going concern for twelve months beyond the financial statement date, including any currently known information that may raise substantial doubt shortly thereafter.

### ***Auditors' Responsibilities for the Audit of the Financial Statements***

Our objectives are to obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement, whether due to fraud or error, and to issue an auditors' report that includes our opinions. Reasonable assurance is a high level of assurance but is not absolute assurance and therefore is not a guarantee that an audit conducted in accordance with GAAS and *Government Auditing Standards* will always detect a material misstatement when it exists. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control. Misstatements are considered material if there is a substantial likelihood that, individually or in the aggregate, they would influence the judgment made by a reasonable user based on the financial statements.

In performing an audit in accordance with GAAS and *Government Auditing Standards*, we:

- Exercise professional judgment and maintain professional skepticism throughout the audit.
- Identify and assess the risks of material misstatement of the financial statements, whether due to fraud or error, and design and perform audit procedures responsive to those risks. Such procedures include examining, on a test basis, evidence regarding the amounts and disclosures in the financial statements.
- Obtain an understanding of internal control relevant to the audit 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 Agency's internal control. Accordingly, no such opinion is expressed.
- Evaluate the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluate the overall presentation of the financial statements.
- Conclude whether, in our judgment, there are conditions or events, considered in the aggregate, that raise substantial doubt about the Agency's ability to continue as a going concern for a reasonable period of time.

We are required to communicate with those charged with governance regarding, among other matters, the planned scope and timing of the audit, significant audit findings, and certain internal control-related matters that we identified during the audit.

### ***Required Supplementary Information***

Accounting principles generally accepted in the United States of America require that the Management's Discussion and Analysis, as listed in the table of contents, be presented to supplement the basic financial statements. Such information is the responsibility of management and, 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 audits were conducted for the purpose of forming opinions on the financial statements that collectively comprise the Agency's basic financial statements. The Schedule of Agency Investments is presented for purposes of additional analysis and is not a required part of the basic financial statements.

The Schedule of Agency Investments 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 audit 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 Agency Investments is fairly stated, in all material respects, in relation to the basic financial statements as a whole.

### ***Other Information***

Management is responsible for the other information included in the financial statements. The other information comprises the Real Property Listing but does not include the financial statements and our auditor's report thereon. Our opinions on the financial statements do not cover the other information, and we do not express an opinion or any form of assurance thereon. In connection with our audit of the financial statements, our responsibility is to read the other information and consider whether a material inconsistency exists between the other information and the financial statements, or the other information otherwise appears to be materially misstated. If, based on the work performed, we conclude that an uncorrected material misstatement of the other information exists, we are required to describe it in our report.

### ***Other Reporting Required by Government Auditing Standards***

In accordance with *Government Auditing Standards*, we have also issued our report dated March 21, 2024 on our consideration of the Agency'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 Agency'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 Agency's internal control over financial reporting and compliance.

*Drescher & Malecki LLP*

March 21, 2024





**TOWN OF CLARENCE INDUSTRIAL DEVELOPMENT AGENCY**  
**Management's Discussion and Analysis**  
**Years Ended December 31, 2023 and 2022**

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As management of the Town of Clarence Industrial Development Agency (the "Agency"), we offer readers of the Agency's financial statements this narrative overview and analysis of the financial activities of the Agency for the years ended December 31, 2023 and 2022. This document should be read in conjunction with additional information that we have furnished in the Agency's financial statements which follow this narrative.

**Financial Highlights**

- The assets of the Agency exceeded its liabilities at December 31, 2023 and 2022 by \$885,113 and \$859,286, respectively. These amounts are considered *unrestricted net position* and may be used to fund the Agency's ongoing operations.
- The Agency's net position increased by \$25,827 during the year ended December 31, 2023, while net position decreased by \$35,671 during the year ended December 31, 2022.

**Overview of the Financial Statements**

This discussion and analysis is intended to serve as an introduction to the Agency's basic financial statements. The Agency's basic financial statements comprise of two components: 1) the Agency's financial statements and, 2) notes to those financial statements. This report also contains other supplementary information in addition to the basic financial statements themselves.

**Basic financial statements**—The financial statements are prepared using the accrual basis of accounting. The financial statements include:

The *statements of net position* present information on all of the Agency's assets, liabilities, and deferred outflows/inflows of resources, with the differences reported as *net position*. Over time, increases or decreases in net position may serve as a useful indicator of whether the financial position of the Agency is improving or deteriorating.

The *statements of activities* present information showing how the Agency's net position changed during the most recent fiscal 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.

The *statements of cash flows* present the cash provided and used during 2023 and 2022 and how it affects the cash balances at December 31, 2023 and 2022.

The financial statements can be found on pages 8-10 of this report.

**Notes to the Financial Statements**—The notes provide additional information that is essential to a full understanding of the data provided in the financial statements. The notes to the financial statements can be found on pages 11-15 of this report.

**Other information**—In addition to the basic financial statements and accompanying notes, this report also presents *Supplementary Information* concerning the Agency's investments. This schedule is presented on page 16 of this report. Finally, the Agency's real property listing is in the *Other Information* section of this report on page 17.

## Financial Analysis

The Agency provides administrative assistance to businesses within the Town of Clarence, New York, and has limited operations. The Agency does not have any capital assets, long-term debt or full time employees. When analyzing the financial condition and the impact of current year operating activities, it is important to determine whether the Agency has improved or deteriorated from the prior year.

The *statements of net position* and the *statements of activities* can assist in determining whether the Agency's financial position has improved or deteriorated from the prior year. The *statements of cash flows* provide information about the cash receipts, cash payments, and net change in cash resulting from the operating, investing and capital financing activities of the Agency during the year. These statements help users assess the Agency's ability to generate net cash flows, its ability to meet obligations as they come due, and its need for external financing. Condensed financial highlights of these statements are presented in Table 1 below:

**Table 1—Condensed Statements of Net Position**

	December 31,		
	2023	2022	2021
Assets:			
Current assets	\$ 885,113	\$ 859,286	\$ 894,957
Net Position:			
Unrestricted	\$ 885,113	\$ 859,286	\$ 894,957

The Agency's current assets are comprised of cash and cash equivalents and receivables. These assets increased in the year ended December 31, 2023 and decreased in the year ended December 31, 2022 as a result of operating activities.

The Agency reported no liabilities for the years ended December 31, 2023, 2022, and 2021.

The Agency's net position at December 31, 2023, 2022, and 2021 was primarily derived as a result of operating activities and there are no restrictions as to its use.

**Agency activities**—Agency activities increased net position by \$25,827 for the year ended December 31, 2023, decreased net position by \$35,671 for the year ended December 31, 2022 and increased net position by \$26,681 for the year ended December 31, 2021. Condensed versions of the statements of activities are presented in Table 2 on the following page.

**Table 2—Condensed Statements of Activities**

	Year Ended December 31,		
	2023	2022	2021
Operating revenues	\$ 81,558	\$ 5,188	\$ 66,400
Operating expenses	82,167	43,287	40,021
Net operating (loss) income	(609)	(38,099)	26,379
Nonoperating revenues	26,436	2,428	302
Change in net position	25,827	(35,671)	26,681
Net position—beginning	859,286	894,957	868,276
Net position—ending	<u>\$ 885,113</u>	<u>\$ 859,286</u>	<u>\$ 894,957</u>

Operating revenues represent administrative fees and charges resulting from the closing of transactions that assist Town of Clarence, New York, businesses. This assistance can take the form of lease transactions, assistance with bond issuances, mortgage recording tax abatement, or sales tax exemptions, which generally allow such businesses to expand. In comparison to 2022, the Agency was involved in a larger number of projects during 2023. As a result, for the year ended December 31, 2023, operating revenues increased by \$76,370 over the previous year.

Operating expenses primarily consist of the cost of administration and consultants, who assist in locating, communicating and matching business needs to Agency programs of assistance. During the year ended December 31, 2023, there was an increase of \$38,880 in operating expenses largely due to a redevelopment study that was substantially completed during the year ended December 31, 2023.

**Cash flows**—Agency cash and cash equivalents increased by \$25,982 during the year ended December 31, 2023, while cash and cash equivalents decreased by \$35,826 during the year ended December 31, 2022 and increased by \$26,681 during the year ended December 31, 2021. Key elements of these changes are presented below in Table 3:

**Table 3—Condensed Statements of Cash Flows**

	Year Ended December 31,		
	2023	2022	2021
Cash flows from:			
Operating activities	\$ (609)	\$ (38,099)	\$ 26,379
Investing activities	(178,709)	2,273	302
Net (decrease) increase	(179,318)	(35,826)	26,681
Cash and cash equivalents—beginning	859,131	894,957	868,276
Cash and cash equivalents—ending	<u>\$ 679,813</u>	<u>\$ 859,131</u>	<u>\$ 894,957</u>

The increases and decreases in cash and cash equivalents primarily reflect the results of operating activities and the purchase of investments during the year ended December 31, 2023.

### Capital Assets and Debt

The Agency does not own any capital assets, nor has it issued any debt instruments.

**Economic Factors**

The Agency's financial status and level of activity have remained relatively steady over the past few years. The local economic environment continues to be supportive of business development and expansion. There are several projects in the planning and development stages.

**Requests for Information**

Questions regarding this report or requests for additional information should be directed to the Town of Clarence Industrial Development Agency, One Town Place, Clarence, New York 14031.

## BASIC FINANCIAL STATEMENTS



**TOWN OF CLARENCE INDUSTRIAL DEVELOPMENT AGENCY**  
**Statements of Net Position**  
**December 31, 2023 and 2022**

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	<u>2023</u>	<u>2022</u>
<b>ASSETS</b>		
Current assets:		
Cash and cash equivalents	\$ 679,813	\$ 859,131
Investments	205,300	-
Interest receivable	<u>-</u>	<u>155</u>
Total assets	<u>885,113</u>	<u>859,286</u>
 <b>NET POSITION</b>		
Unrestricted	<u>\$ 885,113</u>	<u>\$ 859,286</u>

The notes to the financial statements are an integral part of these statements.

**TOWN OF CLARENCE INDUSTRIAL DEVELOPMENT AGENCY**  
**Statements of Activities**  
**Years Ended December 31, 2023 and 2022**

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	<u>2023</u>	<u>2022</u>
Operating revenues:		
Administrative fees	\$ 81,558	\$ 5,188
Total operating revenues	<u>81,558</u>	<u>5,188</u>
Operating expenses:		
Accounting services	7,650	7,650
Administrative costs	14,198	13,685
Advertising	7,142	5,925
Consultants	12,000	12,000
Insurance	3,131	2,886
Office supplies	171	1,141
Sheridan Drive corridor study	37,875	-
Total operating expenses	<u>82,167</u>	<u>43,287</u>
Operating (loss)	(609)	(38,099)
Nonoperating revenues:		
Interest earnings	26,436	2,428
Total nonoperating revenues	<u>26,436</u>	<u>2,428</u>
Change in net position	25,827	(35,671)
Net position—beginning	859,286	894,957
Net position—ending	<u>\$ 885,113</u>	<u>\$ 859,286</u>

The notes to the financial statements are an integral part of these statements.



**TOWN OF CLARENCE INDUSTRIAL DEVELOPMENT AGENCY**  
**Statements of Cash Flows**  
**Years Ended December 31, 2023 and 2022**

	<u>2023</u>	<u>2022</u>
<b>CASH FLOWS FROM OPERATING ACTIVITIES</b>		
Cash received for services provided	\$ 81,558	\$ 5,188
Payments made for operating costs	<u>(82,167)</u>	<u>(43,287)</u>
Net cash (used for) operating activities	<u>(609)</u>	<u>(38,099)</u>
<b>CASH FLOWS FROM INVESTING ACTIVITIES</b>		
Purchase of investments	(205,300)	-
Interest earned	<u>26,591</u>	<u>2,273</u>
Net cash (used for) provided by investing activities	<u>(178,709)</u>	<u>2,273</u>
Net (decrease) in cash and cash equivalents	(179,318)	(35,826)
Cash and cash equivalents—beginning	<u>859,131</u>	<u>894,957</u>
Cash and cash equivalents—ending	<u><u>\$ 679,813</u></u>	<u><u>\$ 859,131</u></u>
<b>Reconciliation of operating (loss) income to net cash (used for) operating activities:</b>		
Operating (loss)	<u>\$ (609)</u>	<u>\$ (38,099)</u>
Net cash (used for) operating activities	<u><u>\$ (609)</u></u>	<u><u>\$ (38,099)</u></u>

The notes to the financial statements are an integral part of these statements.

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**TOWN OF CLARENCE INDUSTRIAL DEVELOPMENT AGENCY**  
**Notes to the Financial Statements**  
**Years Ended December 31, 2023 and 2022**

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**1. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES**

The Town of Clarence Industrial Development Agency (the “Agency”) is a public benefit corporation and was created in 1973 under Title I Article 18-A of New York State General Municipal Law for the purpose of encouraging financially sound companies to locate and expand in the Town of Clarence, New York (the “Town”).

***Financial Reporting Entity***

The Agency is not considered a component unit of the Town. The Agency is a separate entity and operates independently of the Town. The Town does not have the ability to impose its will upon the Agency through the appointment process, has no authority to approve the Agency’s budget nor does it have any responsibility for the debt, financing deficits or fiscal management of the Agency.

***Basis of Presentation***

The financial statements of the Agency have been prepared in conformity with accounting principles generally accepted in the United States of America.

***Basis of Accounting***

The accounts of the Agency are maintained on the accrual basis of accounting. As such, revenues are recognized in the period in which they are earned and expenses are recognized in the period in which they are incurred.

***Assets, Liabilities, Deferred Outflows/Inflows of Resources, and Net Position***

***Cash and Cash Equivalents***—The Agency’s cash and cash equivalents consist of cash on hand, demand deposits, time deposits and short-term, highly liquid investments which are readily convertible to known amounts of cash and have a maturity date within 90 days or less from the date of acquisition.

***Investments***—The Agency’s investments consist of certificate of deposits with a maturity date of greater than 90 days from the date of acquisition. Investments are recorded at fair value in accordance with the Governmental Accounting Standards Board (“GASB”).

***Deferred Outflows/Inflows of Resources***—In addition to assets, the statement of net position will sometimes report a separate section for deferred outflows of resources. This separate financial statement element, *deferred outflows of resources*, represents a consumption of net position that applies to a future period(s) and so will *not* be recognized as an outflow of resources (expense) until then. At December 31, 2023 and 2022, the Agency does not have any items that qualify for reporting in this category.

In addition to liabilities, the statement of net position will sometimes report a separate section for deferred inflows of resources. This separate financial statement element, *deferred inflows of resources*, represents an acquisition of net position that applies to a future period(s) and so will *not* be recognized as an inflow of resources (revenue) until that time. At December 31, 2023 and 2022, the Agency does not have any items that qualify for reporting in this category.

***Net Position Flow Assumption***—Sometimes the Agency will fund outlays for a particular purpose from both restricted (e.g., restricted loan or grant proceeds) and unrestricted resources. In order to calculate the amounts to report as restricted net position and unrestricted net position, a flow assumption must be made about the order in which the resources are considered to be applied. It is the Agency’s policy to consider restricted net position to have been depleted before unrestricted net position is applied.

## ***Revenues and Expenses***

***Industrial Development Revenue Bond and Note Transactions***—Industrial development revenue bonds and notes issued by the Agency are secured by the properties which are leased to companies and are retired by lease payments. The bonds and notes are not obligations of the Agency, the Town or the State of New York. The Agency does not record the assets or liabilities resulting from completed bond and note issues in its accounts, since its primary function is to arrange the financing between the borrowing companies and the bond and note holders. The funds arising there from are controlled by trustees or banks acting as fiscal agents. The Agency receives bond administrative fees from the borrowing companies for providing the service. Such administrative fee income is recognized immediately upon issuance of the bonds and notes.

***Closing Fees***—During the years ended December 31, 2023 and 2022, the Agency received \$81,558 and \$5,188, respectively, which are recorded within operating revenue.

***Lease Transactions***—The Agency has established a lease program to provide state and local tax benefits to companies developing industrial properties. Under this program, the Agency receives title to properties under development and leases the property to the previous titleholder (lessee). The Agency generally contracts for payment-in-lieu-of-tax agreements between lessees and participating municipalities. All risks associated with property ownership and business activities on such property remain with the lessee. Title to those properties is transferred back to the lessee at the end of the maximum tax benefit period or at any time during the lease period at the option of the lessee. The Agency does not record assets acquired under the lease program since the Agency’s primary function is to provide state and local tax benefits to the lessee. The Agency receives lease administrative fees from the lessee for providing this service. Such administrative fee income is recognized at lease inception or ratably over the term of the lease depending on the agreement terms between the lessee and the Agency.

***Tax Status***—The Agency is exempt from Federal income taxes and New York State franchise taxes.

## ***Other***

***Estimates***—The preparation of the financial statements in conformity with GAAP requires management to make estimates and assumptions that affect the reported amounts of revenues, expenses, assets, liabilities, deferred outflows/inflows of resources, and disclosures of contingent assets and liabilities at the date of the financial statements. Actual results could differ from those estimates.

***Adoption of New Accounting Pronouncements***— During the year ended December 31, 2023, the Agency implemented GASB Statements No. 94, *Public-Private and Public-Public Partnerships and Availability Payment Arrangements*; No. 96, *Subscription-Based Information Technology Arrangements*; and a portion of No. 99, *Omnibus 2022*. GASB Statement No. 94 improves financial reporting by addressing issues related to public-private and public-public partnerships arrangements (“PPPs”). GASB Statement No. 96 improves financial reporting by establishing a definition for Subscription-Based Information Technology Arrangements (“SBITAs”) and providing uniform

guidance for accounting and financial reporting for transactions that meet that definition. A portion of GASB Statement No. 99 enhances comparability in the application of accounting and financial reporting requirements and improves the consistency of authoritative literature related to GASB Statements No. 94 and 96. The implementation of GASB Statements No. 94, 96, and a portion of 99 did not have a material impact on the Agency's financial position or results from operations.

***Future Impacts of Accounting Pronouncements***—The Agency has not completed the process of evaluating the impact that will result from adopting the remaining portion of No. 99, *Omnibus 2022*; GASB Statements No. 100, *Accounting Changes and Error Corrections—an amendment of GASB Statement No. 62*; and No. 101, *Compensated Absences*, effective for the year ending December 31, 2024, and No. 102, *Certain Risk Disclosures*, effective for the year ending December 31, 2025. The Agency is, therefore, unable to disclose the impact that adopting GASB Statements No. 99, 100, 101 and 102 will have on its financial position and results of operations when such statements are adopted.

## 2. CASH, CASH EQUIVALENTS AND INVESTMENTS

The Agency's investment policies are governed by New York State statutes. There were no investments at December 31, 2023 or 2022. All deposits are carried at fair value. Collateral is required for demand deposits and certificates of deposits for all deposits not covered by federal deposit insurance ("FDIC"). Obligations that may be pledged as collateral are obligations of the United States and its agencies and obligations of the State and its municipalities and school districts.

Cash and cash equivalents at December 31, 2023 and 2022 are as follows:

	2023	2022
Petty cash (uncollateralized)	\$ 37	\$ 50
Deposits	679,776	859,081
Total	<u>\$ 679,813</u>	<u>\$ 859,131</u>

***Deposits***—All Deposits are carried at fair value and are classified by custodial credit risk at December 31, 2023 and 2022 as follows:

	December 31, 2023		December 31, 2022	
	Bank Balance	Carrying Amount	Bank Balance	Carrying Amount
Insured (FDIC)	\$ 391,247	\$ 391,247	\$ 250,000	\$ 250,000
Uninsured:				
Collateral held by pledging bank's agent in the Agency's name	288,529	288,529	609,141	609,081
Total deposits	<u>\$ 679,776</u>	<u>\$ 679,776</u>	<u>\$ 859,141</u>	<u>\$ 859,081</u>

***Custodial Credit Risk—Deposits***—Custodial credit risk is the risk that in the event of a bank failure, the Agency's deposits may not be returned to it. As noted above, by State statute all deposits in excess of FDIC insurance coverage must be collateralized. At December 31, 2023 and 2022, all the Agency's deposits were either FDIC insured or collateralized with securities held by the pledging bank's agent in the Agency's name.

**Investments**— All investments are reported using a three-level hierarchy that prioritizes the inputs used to measure fair value. This hierarchy, established by GAAP, requires that entities maximize the use of observable inputs and minimize the use of unobservable inputs when measuring fair value. The three levels of inputs used to measure fair value are as follows:

- Level 1. Quoted prices for identical assets or liabilities in active markets to which the Agency has access at the measurement date.
- Level 2. Inputs other than quoted prices included in Level 1 that are observable for the asset or liability, either directly or indirectly. Level 2 inputs include:
  - Quoted prices for similar assets or liabilities in active markets;
  - Quoted prices for identical or similar assets in markets that are not active;
  - Observable inputs other than quoted prices for the asset or liability (for example, interest rates and yield curves); and
  - Inputs derived principally from, or corroborated by, observable market data correlation or by other means.
- Level 3. Unobservable inputs for the asset or liability. Unobservable inputs should be used to measure fair value to the extent that observable inputs are not available.

The Agency has the following fair value measurements as of December 31, 2023:

- Certificates of deposit of \$205,300 are valued based on quoted market prices for similar assets in active markets (level 2 input).

**Custodial Credit Risk—Investments**—Credit risk is defined as the risk that an issuer or other counterparts to an investment in debt securities will not fulfill its obligation. The Agency minimizes credit risk by limiting investments to the safest types of securities, pre-qualifying the financial institutions, broker/dealers, intermediaries, and advisors with which the Agency does business, and diversifying the investment portfolio so that potential losses on individual securities are minimized. The U.S Government Securities are not considered to have credit risk and do not require disclosure of credit quality.

### **3. RELATED PARTY TRANSACTIONS**

The Town provides the Agency with administrative services. The cost of these services has been included as expenses on the Agency's statements of activities. The Agency paid the Town \$11,592 and \$11,146 for administrative expenses for the years ended December 31, 2023 and 2022, respectively.

### **4. ECONOMIC FACTORS**

The Agency relies extensively on administrative fees to generate the majority of its annual income. As a result of potential legislative or Board actions, the Agency's ability to generate the administrative fees necessary to support operations may be limited in the future.

## **5. SUBSEQUENT EVENTS**

Management has evaluated subsequent events through March 21, 2024, which is the date the financial statements are available for issuance, and have determined there are no subsequent events that require disclosure under generally accepted accounting principles.

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## SUPPLEMENTARY INFORMATION

Presented as supplementary information is certain information as required to be reported under New York Public Authorities Law.



**TOWN OF CLARENCE INDUSTRIAL DEVELOPMENT AGENCY**  
**Schedule of Agency Investments**  
**Year Ended December 31, 2023**

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**Annual Investment Report**—§2925(6) of Public Authorities Law of the State of New York requires that each public authority must annually prepare an investment report which shall include (a) investment guidelines, (b) amendments to such guidelines since the last investment report, (c) an explanation of the investment guidelines and amendments, (d) results of the annual independent audit, (e) the investment income record of the Agency, and (f) a list of the total fees, commissions or other charges paid to each investment banker, broker, dealer and adviser rendering investment associated services to the Agency since the last investment report.

- a. Investment guidelines – the Agency’s investment policies are governed by State Statutes. In addition, the Agency has an investment policy which was adopted by the Board of Directors.
- b. Amendments to guidelines – none
- c. Explanation of guidelines and investments – the Agency has not made any amendments to its investment policy, which restricts investments to money market accounts and certificates of deposit.
- d. Results of the annual independent audit – the independent auditors have issued an unmodified opinion on the Agency’s financial statements for the year ended December 31, 2023.
- e. Investment income record – investment income for the year ended December 31, 2023 consisted of:

	Interest Earned
JP Morgan Chase	\$ 2,608
JP Morgan Chase CDs	<u>23,828</u>
Total interest earnings	<u>\$ 26,436</u>

- f. List of the total fees, commissions or other charges paid to each investment banker, broker, dealer and adviser rendering investment associated services to the Agency since the last investment report – no such fees or commissions were paid during the year ended December 31, 2023.

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## OTHER INFORMATION



**TOWN OF CLARENCE INDUSTRIAL DEVELOPMENT AGENCY**  
**Real Property Listing**  
**Year Ended December 31, 2023**

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1. **Real Property List**—§2896(3) of Public Authorities Law of the State of New York requires that each public authority must publish, at least annually, a report listing all real property of the authority. During the year ended December 31, 2023, the Agency reported no real property.
2. **Real Property Acquisitions/Dispositions**—during the year ended December 31, 2023, the Agency neither acquired nor disposed of any real property.

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### **INDEPENDENT AUDITORS' 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**

The Board of Directors of the Town of Clarence  
Industrial Development Agency:

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 Town of Clarence Industrial Development Agency (the "Agency"), which comprise the statement of net position as of December 31, 2023, the related statements of activities and cash flows for the year then ended, and the related notes to the financial statements, which collectively comprise the Agency's basic financial statements, and have issued our report thereon dated March 21, 2024.

#### **Report on Internal Control over Financial Reporting**

In planning and performing our audit of the financial statements, we considered the Agency's internal control over financial reporting ("internal control") as a basis for designing audit procedures that are appropriate in the circumstances for the purpose of expressing our opinions on the financial statements, but not for the purpose of expressing an opinion on the effectiveness of the Agency's internal control. Accordingly, we do not express an opinion on the effectiveness of the Agency'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 were not been identified.

## **Report on Compliance and Other Matters**

As part of obtaining reasonable assurance about whether the Agency'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 financial statements. 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.

*Drescher & Malecki LLP*

March 21, 2024