

**TOWN OF LOCKPORT
INDUSTRIAL DEVELOPMENT AGENCY**

FINANCIAL STATEMENTS

DECEMBER 31, 2024

INDEPENDENT AUDITORS' REPORT

The Board of Directors
Town of Lockport Industrial Development Agency

Report on the Audit of the Financial Statements

Opinion

We have audited the financial statements of Town of Lockport Industrial Development Agency (the Agency), a business-type activity, as of and for the years ended December 31, 2024 and 2023, and the related notes to the financial statements, which collectively comprise the Agency's financial statements.

In our opinion, the accompanying financial statements present fairly, in all material respects, the financial position of the Agency as of December 31, 2024 and 2023, and the changes in its financial position and cash flows for the years then ended, in accordance with accounting principles generally accepted in the United States of America (GAAP).

Basis for Opinion

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

Responsibilities of Management for the Financial Statements

Management is responsible for the preparation and fair presentation of the financial statements in accordance with GAAP, 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 one year 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 opinion. 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 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

The Agency has omitted management's discussion and analysis that GAAP requires to be presented to supplement the financial statements. Such missing information is the responsibility of management and, although not a part of the financial statements, is required by the Governmental Accounting Standards Board, who considers it to be an essential part of financial reporting for placing the financial statements in an appropriate operational, economic, or historical context. Our opinion on the financial statements is not affected by this missing information.

Other Reporting Required by Government Auditing Standards

In accordance with *Government Auditing Standards*, we have also issued our report dated March 13, 2025 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, 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 and 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.

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March 13, 2025

TOWN OF LOCKPORT INDUSTRIAL DEVELOPMENT AGENCY

Balance Sheets

December 31,	2024	2023
Assets		
Current assets:		
Cash	\$ 1,747,944	\$ 1,649,281
Prepaid expenses	385	155
Capital assets, net (Note 2)	<u>1,174,689</u>	<u>1,258,578</u>
	\$ 2,923,018	\$ 2,908,014
Liabilities and Net Position		
Current liabilities:		
Current portion of long-term debt (Note 3)	\$ 6,160	\$ 6,160
Accounts payable	23,978	9,115
Accrued liabilities (Note 5)	-	250,000
	<u>30,138</u>	<u>265,275</u>
Noncurrent liabilities:		
Long-term debt (Note 3)	<u>30,800</u>	<u>36,960</u>
	60,938	302,235
Net position:		
Net investment in capital assets	1,137,729	1,215,458
Unrestricted	<u>1,724,351</u>	<u>1,390,321</u>
	2,862,080	2,605,779
	\$ 2,923,018	\$ 2,908,014

See accompanying notes.

TOWN OF LOCKPORT INDUSTRIAL DEVELOPMENT AGENCY

Statements of Revenues, Expenses, and Changes in Net Position

For the years ended December 31,	2024	2023
Operating revenues		
Administrative, application, and other fees	\$ 151,989	\$ 257,887
Gain on sale of land	26,685	-
Total operating revenue	<u>178,674</u>	<u>257,887</u>
Operating expenses		
Management and other fees	53,718	51,570
Legal and professional	55,411	47,604
Travel and meetings	3,974	4,273
Insurance	391	374
Repairs and maintenance	37,051	7,932
Property taxes	7,742	5,237
Dues and membership fees	1,330	1,330
Advertising and promotion	6,556	6,513
Depreciation	789	789
Interest	647	739
Total operating expenses	<u>167,609</u>	<u>126,361</u>
Operating income	11,065	131,526
Nonoperating revenue		
Interest	52,155	47,969
Other income	193,081	-
Total nonoperating expenses	<u>245,236</u>	<u>47,969</u>
Change in net position	256,301	179,495
Net position - beginning	<u>2,605,779</u>	<u>2,426,284</u>
Net position - ending	\$ 2,862,080	\$ 2,605,779

TOWN OF LOCKPORT INDUSTRIAL DEVELOPMENT AGENCY

Statements of Cash Flows

For the years ended December 31,	2024	2023
Operating activities:		
Receipts from administrative, application, and other fees	\$ 151,989	\$ 257,887
Payments for goods and services	(208,459)	(124,358)
Interest paid	(647)	(739)
Net operating activities	(57,117)	132,790
Capital and related financing activities:		
Proceeds from sale of land	109,785	-
Purchase of land	-	(247,200)
Principal payments on debt	(6,160)	(6,160)
Net capital and related financing activities	103,625	(253,360)
Investing activities:		
Interest income	52,155	47,969
Net change in cash	98,663	(72,601)
Cash - beginning	1,649,281	1,721,882
Cash - ending	\$ 1,747,944	\$ 1,649,281
Reconciliation of operating results to net operating activities:		
Operating income	\$ 11,065	\$ 131,526
Adjustments to reconcile operating results to net cash flows from operating activities:		
Gain on sale of land	(26,685)	-
Depreciation	789	789
Changes in other current assets and liabilities:		
Prepaid expenses	(230)	(25)
Accounts payable	14,863	500
Accrued liabilities	(56,919)	-
Net operating activities	\$ (57,117)	\$ 132,790

Notes to Financial Statements

1. Summary of Significant Accounting Policies

Nature of Organization

Town of Lockport Industrial Development Agency (the Agency) was established by the Town of Lockport (the Town) under Title I of Article 18-A of the General Municipal Law of the State of New York (the State), as amended, and Chapter 426 of the Laws of 1981 of the State, the Industrial Development Agency Act. The purpose of the Agency is to promote, attract, encourage, and develop economically sound commerce and industry through governmental action. The Agency, although established by the Town Board, is a separate entity and operates independently of the Town. Its revenues stem from administrative fees, rents, and sale of property in an industrial development park.

Basis of Presentation

The financial statements of the Agency are prepared in conformity with accounting principles generally accepted in the United States of America (GAAP) as applied to governmental units. The Governmental Accounting Standards Board is the accepted standard setting body for establishing governmental accounting and financial reporting principles.

Measurement Focus

The Agency reports as a special-purpose government engaged in business-type activities. Business-type activities are those that are financed in whole or in part by fees charged to external parties for goods or services. The Agency's financial statements are reported using the economic resources measurement focus and the accrual basis of accounting. Revenues are recorded when earned and expenses are recorded when a liability is incurred.

The Agency's policy for defining operating activities in the statements of revenues, expenses, and changes in net position are those that generally result from exchange transactions such as payments received for services, including administrative, application, and other fees, and payments made to purchase those goods or services. Certain other transactions are reported as nonoperating activities and include interest and other income (Note 5).

Estimates

The preparation of financial statements in conformity with GAAP requires management to make estimates and assumptions that affect the amounts reported in the financial statements and accompanying notes. Actual results could differ from those estimates.

Cash and Investments

Cash management is governed by State laws and as established by the Agency's written policies. Cash must be deposited in FDIC-insured commercial banks or trust companies located within the State. The Agency's policies permit the Chief Financial Officer to use demand accounts and certificates of deposit for daily operating funds. Investments are limited to obligations of the United States Treasury and its agencies and obligations of the State or its localities, including those held under repurchase agreements or in external investment pools.

Custodial credit risk is the risk that, in the event of a bank failure, the Agency's deposits may not be returned to it. Collateral is required for demand and time deposits and certificates of deposit not covered by Federal Deposit Insurance. 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. At December 31, 2024, the Agency's bank deposits were fully collateralized by FDIC coverage and securities held by the pledging institution's agent in the Agency's name.

Capital Assets

Property acquired for resale is accounted for at the lower of cost or net realizable value.

Assets used in operations are recorded at cost net of accumulated depreciation. Depreciation is provided over estimated useful lives using the straight-line method. Estimated useful lives range from five to seven years.

Net Position

Net position consists of the following components:

- *Net investment in capital assets* – consists of capital assets, net of accumulated depreciation, reduced by outstanding balances of any related debt obligations attributable to the acquisition, construction, or improvement of those assets.
- *Restricted* – consists of restricted assets reduced by related liabilities and deferred inflows of resources, if any. Restrictions are imposed by external organizations such as federal or state laws or required by the terms of the Agency’s debt agreements.
- *Unrestricted* – the net amount of assets and liabilities that are not included in the determination of net investment in capital assets or the restricted component of net position and therefore are available for general use by the Agency.

Tax Incentive Transactions

The Agency maintains a lease program to provide state and local tax benefits to companies developing industrial and other properties which includes sales tax abatement on construction materials and payments in lieu of taxes. The Agency charges an administrative fee for these services. Under this program, the Agency receives or retains title to properties under development and leases the property to the previous title holder (lessee). Title to these properties is transferred to the lessee at the end of the maximum tax benefit period or at any time during the lease at the option of the lessee. The Agency does not record assets acquired or retained under the lease program since the Agency’s primary function is to provide state and local tax benefits to the lessee. The Agency receives administrative fees from the lessee for providing this service which is recognized in income at lease inception (unconditional lease) or ratably over the term of the lease (conditional lease) depending on the terms between the lessee and the Agency. The original value of the property leased by the Agency under this program aggregated \$108,279,000 and \$118,719,000 in 2024 and 2023, respectively.

The Agency also may issue bonds that meet the definition of conduit debt obligations. Such bonds provide private-sector entities with access to capital for the acquisition, rehabilitation, and construction of industrial and commercial facilities. The bonds are secured by the properties they finance and are payable solely by the private-sector entities. At December 31, 2024 and 2023, there were no such bonds outstanding.

2. Capital Assets

	2024	2023
Land available for sale	\$ 1,084,295	\$ 1,167,395
Development property	90,000	90,000
Office equipment	14,133	14,133
	1,188,428	1,271,528
Less accumulated depreciation	13,739	12,950
	\$ 1,174,689	\$ 1,258,578

The Agency maintains land in an industrial park that is classified as available for sale. The land is recorded at cost; management believes that future sales proceeds will continue to exceed the recorded amount of the land.

Net investment in capital assets consists of the following at December 31:

	2024	2023
Capital assets, net of accumulated depreciation	\$ 1,174,689	\$ 1,258,578
Loan payable	(36,960)	(43,120)
	\$ 1,137,729	\$ 1,215,458

3. Long-Term Debt

	2024	2023
Term loan through the Town of Lockport, annual payments of \$6,160 plus interest at 1.5%, due November 2030, secured by related land.	\$ 36,960	\$ 43,120
Less current portion	6,160	6,160
	\$ 30,800	\$ 36,960

Principal and interest payments on long-term debt subsequent to December 31, 2024 are:

	Principal	Interest
2025	\$ 6,160	\$ 554
2026	6,160	462
2027	6,160	370
2028	6,160	277
2029	6,160	185
2030	6,160	92
	\$ 36,960	\$ 1,940

4. Risk Management

The Agency purchases commercial insurance for various risks of loss due to torts, theft, damage, injuries to employees, and natural disasters in addition to insurance purchased to indemnify directors and officers. Settled claims resulting from these risks have not exceeded commercial insurance coverage in any of the past three years.

5. Litigation

The Agency was a participant in an ongoing lawsuit that was settled during 2024 for \$56,919. The Agency previously accrued \$250,000 as an estimate of the amount it would be required to pay. The difference has been recognized as other income on the accompanying statement of revenues, expenses, and changes in net position for the year ended December 31, 2024 and has been excluded from the corresponding statement of cash flows as a non-cash item.

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
Town of Lockport Industrial Development Agency

We have audited, in accordance with the 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 balance sheet of Town of Lockport Industrial Development Agency (the Agency), a business-type activity, as of December 31, 2024, and the related statements of revenues, expenses, and changes in net position and cash flows for the year then ended, and the related notes to the financial statements, and have issued our report thereon dated March 13, 2025.

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 opinion 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 or significant deficiencies may exist that have 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 Agency'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 Agency's internal control and compliance. Accordingly, this communication is not suitable for any other purpose.

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March 13, 2025

INDEPENDENT AUDITORS' REPORT ON COMPLIANCE WITH SECTION 2925(3)(f) OF THE NEW YORK STATE PUBLIC AUTHORITIES LAW

The Board of Directors
Town of Lockport Industrial Development Agency

We have audited, in accordance with auditing standards generally accepted in the United States of America, the balance sheet of Town of Lockport Industrial Development Agency (the Agency), a business-type activity, as of December 31, 2024, and the related statements of revenues, expenses, and changes in net position and cash flows for the year then ended, and the related notes to the financial statements, and we have issued our report thereon dated March 13, 2025.

In connection with our audit, nothing came to our attention that caused us to believe that the Agency failed to comply with §2925(3)(f) of the New York State Public Authorities Law regarding investment guidelines during the year ended December 31, 2024. However, our audit was not directed primarily toward obtaining knowledge of such noncompliance. Accordingly, had we performed additional procedures, other matters may have come to our attention regarding the Agency's noncompliance with the above rules and regulations.

The purpose of this report is solely to describe the scope and results of our testing. This communication is not suitable for any other purpose.



March 13, 2025