MINUTES
BOARD OF DIRECTORS MEETING
Thursday, February 22, 2018 – 10:15 AM
Dulles State Office Building Conference Room 100, 1st Floor
317 Washington Street, Watertown, New York

The Development Authority of the North Country Board of Directors met in regular session at the Dulles State Office Building Conference Room 100, 1st Floor, 317 Washington Street, Watertown, New York, on Thursday, February 22, 2018 at 10:15 AM.

Members Present:

Voting
Gary Turck, Chairman
Fredrick Carter, Vice Chairman
John B. Johnson, Jr.
Thomas Heffron
Dennis Mastascusa
Margaret Murray
Alfred Calligaris

Non-Voting
Brian McGrath
James Hollenbeck
Stephen Hunt

Members Absent:
Mary Doheny

Staff Present:
James W. Wright, Executive Director
Michelle Capone, Director, Regional Development Division
David Wolf, Director, Technology Division
Carl Farone, Comptroller
Patricia Pastella, Manager, Materials Management Facility
Brian Nutting, Manager, Water Quality Division
Carrie Tuttle, Director of Engineering
Laurie Marr, Director of Public Affairs and Communication
Jo Anne Yaddow, Executive Assistant
Angela Marra, Administrative Associate

Guests:
Richard James, Authority Counsel, Mackenzie Hughes

1. Chairman Turck called the meeting to order at 10:18 AM.

2. Chairman Turck requested a roll call. All Board Members were present except for M. Doheny.

3. Chairman Turck offered the Privilege of the Floor.

4. Upon a motion by F. Carter, and seconded by D. Mastascusa, the Minutes of the December 14, 2017 Board Meeting, were unanimously approved.
5. Chairman’s Report –
   a. Welcome to F. Carter and A. MacKinnon upon their appointment renewals from St. Lawrence County.
   b. Finance Committee will convene immediately after the Board Meeting; all Board Members are welcome.
   c. Public Hearing for the Strategic Plan will be held at 1:00 pm.
   d. March 28, 2018 is the Annual Board Meeting and is being scheduled one week later than usual. J. Johnson stated he would not be able to attend the annual meeting.
   e. Nominating Committee for election of officers is comprised of J. Johnson, A. MacKinnon, and D. Mastascusa.

6. Executive Director’s Report –
   a. Construction Permit for the landfill has been received. J. Wright acknowledged the work of R. James, Authority Counsel, and his negotiations in getting NYSDEC to issue the permit.
   b. There have been several editorials in the WDT regarding the Authority’s hardcover book recycling and de-binding. The Authority’s pilot program for mattress recycling with Lewis County was also recognized.
   c. The Harrisville dissolution study and a report for Morristown were both successfully completed.
   d. J. Wright attended the Association of Defense Communities conference and it is apparent that we need to prepare for changes for increased military funding and elimination of sequestration.
   e. Northcountryrecycles.org website has been updated and there was a brief demonstration. J. Wright stated the new website is very user friendly and was developed in concert with the three partner counties.
   f. A NYPA project map was displayed and a brief narrative given.

7. Finance –
   a. C. Farone reviewed financials for last nine months ending December 31, 2017. C. Farone noted there were no significant changes. Total assets remain virtually unchanged from FYE 2017 audited financial statements. Customer Billings are up due to an increase in MMF waste volumes. Fort Drum is using less water than last year.

   Upon a motion by F. Carter, and seconded by D. Mastascusa, the Unaudited Financial Statements for the Period Ending December 31, 2017, were unanimously approved.

8. Governance –
   a. Resolution No. 2018-02-01 authorizes the Authority Comptroller to select a credit card processing company for the purposes of accepting and receiving payment utilizing payment cards. The Executive Director is authorized to enter into an agreement to secure these services upon the recommendation of the Comptroller. Authorized signatories are named: Chairman, Treasurer, Executive Director, Comptroller, and Deputy Comptroller of the Development Authority.

   Upon a motion by M. Murray, and seconded by C. Caligaris, Resolution No. 2018-02-01, Financial Policy – Customer Credit Cards – Payment Acceptance, was unanimously approved.
b. Resolution No. 2018-02-02 authorizes excused leave for cancer screening. Pursuant to New York State Civil Service Law Section 159-b, effective March 18, 2018, all Authority employees are entitled to take up to a maximum of four hours of paid leave per year for any type of cancer screening without deducting from any other leave time (i.e., sick, personal, or vacation).

Upon a motion by A. Calligaris, and seconded by D. Mastascusa, Resolution No. 2018-02-02, Personnel Policy – Paid Leave – Cancer Screening, was unanimously approved.

9. Engineering –

a. Resolution No. 2018-02-03 authorizes an increase in the revenue and expense account of the Engineering Division to continue pass-through expenditures and amends the FYE 2018 Engineering Budget, increasing “Customer Billings” and “Resale Parts and Materials” by $40,000 each.

Upon a motion by M. Murray, and seconded by F. Carter, Resolution No. 2018-02-03, FYE 2018 Operating Budget Amendment – Engineering Division – Pass-Through Expenditures, was unanimously approved.

b. Resolution No. 2018-02-04 authorizes a Technical Services Agreement with the Village of Malone for a total not to exceed contract amount of $98,102. The Development Authority has been requested to develop a GIS data model; convert water, wastewater and other infrastructure records to GIS format and populate the model; and develop and host a web-based GIS.

Upon a motion by D. Mastascusa, and seconded by F. Carter, Resolution No. 2018-02-04, Technical Services Agreement – Village of Malone – GIS Services, was unanimously approved.

c. Resolution No. 2018-02-05 authorizes a Technical Services Agreement with the Town of Tupper Lake for a total not to exceed contract amount of $15,000. The Development Authority was selected to provide technical services to complete a sewer district consolidation implementation.

Upon a motion by A. Calligaris, and seconded by D. Mastascusa, Resolution No. 2018-02-05, Technical Services Agreement – Town of Tupper Lake – Sewer District Consolidation Implementation, was unanimously approved.

d. Resolution No. 2018-02-06 authorizes a Technical Services Agreement with the Town of Tupper Lake for a water district consolidation implementation for a not to exceed contract amount of $15,000.

Upon a motion by F. Carter, and seconded by D. Mastascusa, Resolution No. 2018-02-06, Technical Services Agreement – Town of Tupper Lake – Water District Consolidation Implementation, was unanimously approved.

e. Resolution No. 2018-02-07 authorizes a Technical Services Agreement with the Village of Tupper Lake for a not to exceed contract amount of $10,000 for an infiltration and inflow study.
Upon a motion by F. Carter, and seconded by M. Murray, Resolution No. 2018-02-07, Technical Services Agreement – Village of Tupper Lake – Infiltration and Inflow Project, was unanimously approved.

f. Resolution No. 2018-02-08 authorizes a Technical Services Agreement with the Village of Tupper Lake for a sewer system improvement project for a not to exceed contract amount of $25,000.

Upon a motion by F. Carter, and seconded by M. Murray, Resolution No. 2018-02-08, Technical Services Agreement – Village of Tupper Lake – Sewer System Improvement Project, was unanimously approved.

g. Resolution No. 2018-02-09 authorizes a Technical Services Agreement with the Town of Fine for a feasibility study of implementing improvements to the deteriorated Town of Fine Little River Bridge. The contract total is for a not to exceed amount of $5,000.

Upon a motion by A. MacKinnon, and seconded by F. Carter, Resolution No. 2018-02-09, Technical Services Agreement – Town of Fine – Little River Bridge Improvements, was unanimously approved.

h. Resolution No. 2018-02-10 amends a Technical Services Agreement with the St. Lawrence County Industrial Development Agency by an additional $40,000 to provide redevelopment planning, engineering, and administrative services and reporting during the final phase (3) of the Newton Falls Railroad project. The contract amount is for a not to exceed total of $100,000.

J. Johnson asked if these are leftover funds from the original allocation to build the railroad. J. Wright stated the original resolution was in 2015 and this is the last phase of the project. J. Johnson asked if there will be a useable railroad at the end of this phase. C. Tuttle responded yes. J. Johnson verified it is state money allocated years ago that has to be depleted. J. Wright stated it is part of the first round of economic development funding and the last of the money of existing transportation bond funds.

Upon a motion by M. Murray, and seconded by D. Mastascusa, Resolution No. 2018-02-10, Technical Services Agreement – St. Lawrence County Industrial Development Agency – Engineering and Redevelopment Planning Assistance – Newton Falls Railroad Project Phase 3, was unanimously approved.

10. Materials Management –

a. Resolution No. 2018-02-11 authorizes a transfer of funds of $356,189 from capital project 20111 (LCRS/LFG Development) and $16,333 from capital project 20149 (LFG 18 Inch By-Pass) to the capital project 20147 (Landfill Gas Conveyance Upsizing). This provides a balance of $852,028 in account 20147.

Upon a motion by A. Calligaris, and seconded by A. MacKinnon, Resolution No. 2018-02-11, Landfill Gas Conveyance Upsizing – Capital Budget Amendment – Materials Management Division, was unanimously approved.
b. Resolution No. 2018-02-12 amends the Operating Budget of the Materials Management Facility by increasing Leachate Disposal from $270,000 to $387,500 due to additional leachate volume due to the combination of increased precipitation and increase in uncapped acreage. J. Johnson asked if the City’s price is affected if the leachate is diluted due to the increased precipitation. J. Wright stated that the rate does not vary with the intensity of the product. F. Carter asked about the 12 load limitation put in place by the City. J. Wright stated the 12 load limitation has nothing to do with this. The limit has been placed by the City on the Authority because during periods of high precipitation, the treatment plant is also operating at capacity, so in those situations they are sometimes bypassing the treatment plant right to the river. They don’t want us contributing further volume so they have imposed a restriction on us.

Upon a motion by F. Carter, and seconded by A. Calligaris, Resolution No. 2018-02-12, Leachate Cost – FY 2018 Budget Amendment – Materials Management Division, was unanimously approved.

11. Regional Development -

a. Resolution No. 2018-02-13 authorizes the Executive Director to execute the Grant Agreement with NYS Agriculture and Markets and to enter into Grant Agreements with applicants approved by the Project Development Committee. The Development Authority authorizes the Project Development Committee to approve awards to eligible applicants upon review and approval by NYS Agriculture and Markets. This is considered a Type II Action under the SEQRA and is considered an exempt activity requiring no further action. It was modeled after the Farm Drainage Program.

B. McGrath asked if the $45,000 was the Authority’s proposal or is that what the grant specified. J. Wright responded that is what they allow as administrative cost and was kept at the low end which explains why it was successful. B. McGrath asked what the money is used for. J. Wright responded it is used by Michelle and her people who oversee the program and certify the farms. They oversee operations of the seven counties who participate. B. McGrath asked if it is anticipated that additional staff will be hired. J. Wright responded no. B. McGrath asked if there was any additional overhead to run this program. J. Wright responded there is some because personnel are sent to the various locations but it is not a significant cost.

Upon a motion by F. Carter, and seconded by D. Mastascusa, Resolution No. 2018-02-13, Authorizing Acceptance of Funds – NYS Grown & Certified Agriculture Producers Grant, was unanimously approved.

b. Resolution No. 2018-02-14 authorizes a loan from the Housing Loan Revolving Fund in the amount of $495,376 to Northview/LeRay Associates, LP for a term of 360 months at 1% interest. It is interest only for the first 12 months, with monthly principal and interest amortized over the remaining 348 months.

B. McGrath asked Michelle if there was a personal guarantee on this loan. Michelle responded no because there are no individual investors. B. McGrath asked if there was no individual guarantee. Michelle responded there are no individuals in the limited partnership.
Upon a motion by M. Murray, and seconded by T. Hefferon, Resolution No. 2018-02-14, Housing Loan Revolving Fund – Northview/LeRay Associates, LP - Loan, was unanimously approved.

12. Technology –

a. Resolution No. 2018-02-15 authorizes a Service Agreement with the City of Ogdensburg for a new IT and telecommunications services capital project in the amount of $65,000. The project will be funded from the Telecommunications Repair and Upgrade Reserve.

Upon a motion by A. Calligaris, and seconded by D. Mastascusa, Resolution No. 2018-02-15, Service Agreement – City of Ogdensburg – Information Technology (IT) Network Upgrade, was unanimously approved.

b. Resolution No. 2018-02-16 authorizes an increase to capital project 30620 for Customer Network Construction in the amount of $75,000 to be funded from the Repair and Upgrade Reserve. Additional capital is needed for installation of the remaining circuits in the amount of $75,000 to complete the construction and implementation of the services.

Upon a motion by F. Carter, and seconded by A. Calligaris, Resolution No. 2018-02-16, Customer Network Construction – Capital Budget Amendment – Telecommunications Division, was unanimously approved.

13. Additional Resolutions –

a. Resolution No. 2018-02-17 and Resolution No. 2018-02-18 were added to the agenda after it was sent out. Hard copies of the two resolutions were distributed.

b. Resolution No. 2018-02-17 is a SCADA Services Agreement with the Town of Champion for the Route 3 Sewer Corridor Pump Station controls upgrades for a total not to exceed contract amount of $100,000 to upgrade the RTUs in ten pump stations.

Upon a motion by T. Hefferon, and seconded by A. Calligaris, Resolution No. 2018-02-17, SCADA Services Agreement - Town of Champion – Route 3 Sewer Corridor Pump Station – Controls Upgrades, was unanimously approved.

c. Resolution No. 2018-02-18 is an Operations and Maintenance Service Agreement with the Town of Pamela for Sewer District 9 for a total amount of $6,464, extending the term for two years.

Upon a motion by F. Carter, and seconded by A. Calligaris, Resolution No. 2018-02-18, Operations and Maintenance Service Agreement – Town of Pamela – Sewer District 9, was unanimously approved.

14. New Business –

a. J. Johnson requested a descriptive summary of Tupper Lake projects the Authority is involved in.
b. B. McGrath stated he had seen an article regarding the diversity of the Authority Board and it raised a question: B. McGrath asked if the Board takes any positon on giving guidance to any of the appointing entities in terms of selection criteria and a stated commitment to diversity and inclusion on this Board. J. Wright responded that historically, the Authority has not. B. McGrath asked if this is something that the Board should consider given the importance of diversity and inclusion in society at large or should the Authority Board take the position that it is not something within the Board’s providence. J. Wright stated his recommendation would be to take the latter approach as, historically, the Authority has stayed out of the appointment process, specifically, during his tenure so that there is no suggestion that the Board Members are being “hand-picked” and that the appointments are left to the appointing authorities. J. Wright continued by stating there is not a single appointing authority but multiple authorities and in the current situation, Jefferson County has one male and one female appointee, and the Governor has one female appointee. J. Wright also stated the issue was raised in the State Legislature by a Member of the Assembly that the Governor’s appointments did not reflect the diversity of the state’s population and that it becomes a good faith obligation on the appointees’ parts to reflect diversity in these appointments and that, hopefully, that would happen. J. Wright stated he didn’t know if there was anything that this Board could do other than offer an advisory opinion to see more diverse appointments. B. McGrath stated he shared J. Wright’s concern that the Board while trying to do something good, could be perceived as attempting to influence the constitution of the members. B. McGrath pointed out the Governor’s appointments has one female member and one LGBT member so there are two diverse appointed members by the Governor. B. McGrath stated that he doesn’t have any opinion on this matter but is asking for the Board’s opinion on the matter of diversity. B. McGrath said it is a legitimate concern that the Authority Board does lack diversity and is comprised of mostly older white males and doesn’t reflect a growing, diverse populous. B. McGrath stated that while he doesn’t have an answer, if the Board were to issue some sort of guidance that while well intentioned, it could be perceived as trying to influence. B. McGrath stated he wanted to raise this issue because of the article and didn’t want the public to think it wasn’t an important issue to this Board. B. McGrath stated it is an important issue to him and hoped it is important to every other Board Member.

15. Next Meeting – March 28, 2018 (Annual Meeting)

16. Upon a motion by F. Carter, and seconded by M. Murray, the meeting was adjourned at 10:55 AM.

Respectfully submitted,

[Signature]

Thomas Hefferson
Secretary