The Development Authority of the North Country Board of Directors met in regular session in Conference Room 100, 1st Floor, Dulles State Office Building, Watertown, New York, on Thursday, August 25, 2016, at 10:30 am.

**Members Present:**

*Voting*
- Gary Tureck, Chairman
- John B. Johnson, Jr.
- Fredrick Carter
- Thomas Hefferson
- Dennis Mastascusa
- Margaret Murray
- Alfred Calligaris
- Alex MacKinnon

*Non-Voting*
- Mary Doheny
- James Hollenbeck
- Stephen Hunt

*Members Absent*
- Brian McGrath

**Staff Present:**

- James W. Wright, Executive Director
- Thomas Sauter, Deputy Executive Director
- Michelle Capone, Director of Regional Development
- Patricia Pastella, Manager, Water Quality Division
- Carrie Tuttle, Director of Engineering and Environmental Division
- David Wolf, Director of Technology
- Carl Farone, Comptroller
- Richard LeClerc, Solid Waste Division Manager
- Brian Wohnsiedler, Materials Management Coordinator
- Jo Anne T. Yaddow, Executive Assistant
- Angela Marra, Administrative Assistant

**Guests:**

- Richard James, Authority Counsel, Mackenzie Hughes

1. Chairman Tureck called the meeting to order at 10:30 am.

2. Chairman Tureck requested a roll call by J. Yaddow.

   - All Board Members were present, with the exception of Brian McGrath.

3. Chairman Tureck confirmed there was a quorum.

4. Chairman Tureck offered the Privilege of the Floor.
5. Upon a motion by A. Calligaris, and seconded by M. Murray, the Minutes of the June 23, 2016 Board Meeting, were unanimously approved.

6. Executive Director’s Report –

   a. The Development Authority has received NYSDEC’s Notice of Complete Application regarding the landfill extension. Review process begins with DEC and related federal agencies.

   b. A construction camera has been installed at the landfill and construction progress can be viewed at www.danc.org. Additionally, there will be no Open House this year due to the construction project.

   c. The Authority has received notice from NYSDEC that they have accepted the testing of the leachate loadout system at the landfill.

   d. The agreement with the City of Watertown regarding the Wastewater treatment plant plans has not been finalized but it is expected an agreement will be reached soon. The City was a recent recipient of a New York State grant. The Authority is still awaiting additional decisions on the scope of the project, the key issue of using a 30 year financing plan rather than a 12 year financing plan which would spread the cost out over a longer period of time. We should be able to come to a reasonable agreement -

   e. Engineering’s success with various consolidation dissolution projects has resulted in additional dissolution project calls. The Authority is at a capacity point and Engineering has started compiling a list of contacts and will advise on whether dissolution is the best option for the local governments.

   f. The Local Materials Management Plan is available for review on the Authority’s website, www.danc.org. The Authority will accept written comments until September 28, 2016. The finalized Plan will be presented to the Board.

   g. The Authority received a thank you letter from the Town of Fine regarding the work done on the Efficiency/Consolidation Study for the Towns of Fine and Clifton.

   h. R. LeClerc introduced Brian Wohnsiedler, newly hired Materials Management Coordinator. Mr. Wohnsiedler worked with NYSDEC on the Local Materials Management Plan.

8. Finance Report –

   a. C. Farone stated that with the completion of the FY 2016 Audit, the Bonadio Group had completed the term of its five year contract. A Request for Proposal has been issued for Audit Services with a due date of September 15, 2016. The Audit Committee will review proposals received and make a recommendation to the Board.
b. C. Farone reviewed the Financial Statements for the four months ending July 31, 2016 and noted that the Authority had generated a Positive Change in Net Position of $1.7 million. Customer Billings are ahead of projections as there is additional water consumption from Army-Fort Drum. C. Farone noted that a payment was received from SLIC in the amount of $567,000 on August 15 which will significantly reduce the Accounts Receivable balance of the Authority.

Upon a motion by A. Calligaris, and seconded by M. Murray, the Unaudited Financial Statements for the Period Ending April 30, 2016, were unanimously approved.

9. Governance Report –

a. Resolution No. 2016-08-82 supports Fort Drum as the preferred site for an East Coast Missile Defense Agency (MDA) Ground-Based Interceptor. The Development Authority is prepared to work with the MDA in a similar manner as in the past.

Upon a motion by A. Calligaris, and seconded by A. MacKinnon, Resolution No. 2016-08-82, Resolution in Support of Fort Drum as the Preferred Site for an East Coast Missile Defense Agency Ground-Based Interceptor, was unanimously approved.

b. Resolution No. 2016-08-83 authorizes an addendum to the Letter of Engagement for Outside Legal Counsel for the Development Authority of the North Country. This resolution provides for a two year extension for professional legal services with Mackenzie Hughes LLP.

Upon a motion by A. Calligaris, and seconded by A. MacKinnon, Resolution No. 2016-08-83, Authorizing an Addendum to the Letter of Engagement for Outside Legal Counsel for the Development Authority of the North Country, was unanimously approved.

c. Resolution No. 2016-08-84 approves modifications to the Personnel Policy which reflects changes to the accrued vacation rates and accrued sick leave rates for eligible employees and will further the abilities of the Authority to recruit and retain experienced senior licensed professionals. The maximum sick leave accrual cannot exceed 200 days and the Executive Director is authorized to modify the applicable accruals and accrual rate for the purposes of recruitment and retention of personnel, or other extenuating circumstances. Twenty-five years through completion of thirty years of service accrual rate will be 7.69 hours per pay period, equivalent to five workweeks per year. Thirty plus years of service accrual rate will be 9.23 hours per pay period, equivalent to six workweeks per year.

Upon a motion M. Murray, and seconded by T. Hefferton, Resolution No. 2016-08-84, Approving Modifications to Personnel Policy, was unanimously approved.

d. Resolution No. 2016-08-85 amends the single stream recycling initiative by increasing the Authority capital cost participation to 50% of the capital investments by the partner county not to exceed $600,000 per county, provided the investment advances the Authority’s regional goals for waste diversion and single stream recycling. The funding will come from the solid waste capital reserve funds and will be available upon submission of documentation of actual county expenditures, upon approval by the Executive Director.
Upon a motion by A. Calligaris, and seconded by T. Hefferon, Resolution No. 2016-08-85, Authorizing Financial Investment for County Single Stream Recycling, was unanimously approved.

10. Engineering Report –

a. Resolution No. 2016-08-86 authorizes a Technical Services Agreement for a Municipal Dissolution Study with the Village of Harrisville for a total not to exceed contract amount of $25,000.

Upon a motion by T. Hefferon, and seconded by A. MacKinnon, Resolution No. 2016-08-86, Technical Services Agreement for Municipal Dissolution Study with the Village of Harrisville, was unanimously approved.

b. Resolution No. 2016-08-87 authorizes a Technical Services Agreement for Crosstown Canal Project with the Village of Potsdam for a total not to exceed contract amount of $30,000. The Authority has been requested to provide project management services, assistance with grant administration, create a bid package and oversee the construction phase services pertaining to the improvements.

Upon a motion by M. Murray, and seconded by A. Calligaris, Resolution No. 2016-08-87, Technical Services Agreement for Crosstown Canal Project with the Village of Potsdam, was unanimously approved.

c. Resolution No. 2016-08-88 is an amendment to the Technical Services Agreement with the St. Lawrence County Industrial Development Agency for a total not to exceed contract amount of $58,300. The SLICIDA requested the Authority provide construction phase services during the Phase 1 project for the former Jones & Laughlin Ore Processing Facility. The services include part-time site inspection, reviewing contractor payment applications, reviewing scope of work, and related coordination and scheduling.

Upon a motion by A. Calligaris, and seconded by T. Hefferon, Resolution No. 2016-08-88, Amendment No. 1 to Technical Services Agreement with the St. Lawrence County Industrial Development Agency for Engineering and Redevelopment Planning Assistance for the Former Jones & Laughlin Ore Processing Facility, was unanimously approved.

d. Resolution No. 2016-08-89 authorizes a Technical Services Agreement to develop a modified wastewater billing structure with the Villages of Carthage and West Carthage for a total not to exceed contract amount of $7,000. The Villages have requested the Authority provide additional services to develop a modified wastewater billing structure that incorporates equivalent dwelling units (EDUs).

Upon a motion by T. Hefferon, and seconded by M. Murray, Resolution No. 2016-08-89, Technical Services Agreement to Develop Modified Wastewater Billing Structure with the Villages of Carthage and West Carthage, was unanimously approved.
e. Resolution No. 2016-08-90 authorizes an agreement with the Village of Lowville for GIS Technical Services for a total not to exceed contract amount of $78,892. The Authority has been requested to develop a GIS data model, convert water, wastewater, and other infrastructure records to GIS format, and develop and host a web-based GIS.

Upon a motion by M. Murray, and seconded by A. MacKinnon, Resolution No. 2016-08-90, Authorizing Executive Director to Enter into an Agreement with the Village of Lowville for GIS Technical Services, was unanimously approved.

f. Resolution No. 2016-08-91 is a second amendment to the Technical Services Agreement with the Town of Fine for engineering assistance with the Wanakena Footbridge Project for an additional cost of $5,000, bringing the not to exceed contract total to $27,500.

Upon a motion by M. Murray, and seconded by T. Hefferon, Resolution No. 2016-08-91, Amendment No. 2 to Technical Services Agreement with the Town of Fine for Engineering Assistance with the Wanakena Footbridge Project, was unanimously approved.

g. Resolution No. 2016-08-92 authorizes a Technical Services Agreement for the United Cerebral Palsy Residential Facility in the Village of Lyons Falls for a not to exceed contract amount of $10,000. The Authority has been requested to provide project management, regulatory coordination, construction administrative, and inspection for the extension of the water main to serve the new UCP facility.

Upon a motion by A. MacKinnon, and seconded by M. Murray, Resolution No. 2016-08-92, Technical Services Agreement for United Cerebral Palsy Residential Facility Water Main Extension Project with the Village of Lyons Falls, was unanimously approved.

F. Carter entered the meeting.

h. Resolution No. 2016-08-93 authorizes agreements with the US Northern Border Regional Commission (NBRC). The NBRC works with New York State Department of State (DOS) for the administration of projects and funding, utilizing a certified Local Development District (LDD). Jefferson, Lewis, St. Lawrence, and Franklin Counties are the only counties in New York State not included within a LDD and NYSBDOS suggested the Authority serve as the region’s LDD. The Authority will report annually to the Board the municipal contracts that have been received and administered.

Upon a motion by A. MacKinnon, and seconded by F. Carter, Resolution No. 2016-08-93, Authorizing Agreements with US Northern Border Regional Commission New York State Department of State and Local Municipalities as a Local Development District, was unanimously approved.
i. Resolution No. 2016-08-94 authorizes a Technical Services Agreement for Sewer District Consolidation Study with the Town of Tupper Lake for a not to exceed contract amount of $35,000 for technical assistance related to a consolidation study of Town’s sewer districts.

Upon a motion by A. Callicaris, and seconded by M. Murray, Resolution No. 2016-08-94, Technical Services Agreement for Sewer District Consolidation Study with the Town of Tupper Lake, was unanimously approved.

j. Resolution No. 2016-08-95 authorizes a Technical Services Agreement for a Water District Consolidation Study with the Town of Tupper Lake for a not to exceed contract amount of $35,000 related to a consolidation study of the Town’s water district.

Upon a motion by M. Murray, and seconded by A. MacKinnon, Resolution No. 2016-08-95, Technical Service Agreement for Water District Consolidation Study with the Town of Tupper Lake, was unanimously approved.

11. Regional Development –

a. Resolution No. 2016-08-96 authorizes a modification to the Regional Development budget to implement a Fort Drum Joint Land Use Study and accept grant funds to engage a consultant in the amount of $175,000.

Upon a motion by T. Hefferon, and seconded by F. Carter, Resolution No. 2016-08-96, Authorizing Modification to Regional Development Division Budget to Implement Fort Drum Joint Land Use Study, was unanimously approved.

b. Resolution No. 2016-08-97 ratifies a loan issued through the North Country Redevelopment Loan Fund for St. Lawrence County Industrial Development Agency in an amount of $500,000 ($250,000 loan/$250,000 grant) for a term of 12 months at 1% interest, for the purpose of redeveloping the former Jones & Laughlin site.

Upon a motion by A. Callicaris, and seconded by A. MacKinnon, Resolution No. 2016-08-97, Ratifying Loan Issued Through North Country Redevelopment Loan Fund for St. Lawrence County Industrial Development Agency, was unanimously approved.

c. Resolution No. 2016-08-98 authorizes a loan from the Community Development Loan Fund to the Lewis County Development Corporation to bridge phase III of a National Grid grant for the redevelopment of the Lyons Falls Paper Mill in amount of $222,500 for a term of 12 months or upon receipt of the final disbursement from National Grid, whichever occurs first. The interest rate is 1.5%.

Upon a motion by F. Carter, and seconded by A. MacKinnon, Resolution No. 2016-08-98, Authorizing Loan from Community Development Loan Fund to Lewis County Development Corporation to Bridge Phase III of a National Grid Grant for Redevelopment of Lyons Falls Paper Mill, was unanimously approved.
d. Resolution No. 2016-08-99 modifies a loan from North Country Redevelopment Loan Fund to the Lewis County Development Corporation. A condition of the original loan was a second mortgage on the real estate known as the former Lyons Falls Pulp and Paper Mill site. Upon further consideration, the Development Authority determined that due to the potential liabilities associated with the site that a second mortgage on the real estate was not in the Authority's best interest. The Regional Loan Review Committee recommends this modification for approval.

F. Carter asked for a clarification on the difference between the two entities. J. Wright stated the state funds are issued to the Development Authority who administers the funds on behalf of the state and allows up to $250,000 in loans and $250,000 in grants.

Upon a motion by A. Calligaris, and seconded by F. Carter, Resolution No. 2016-08-99, Modifying Loan from North Country Redevelopment Loan Fund to Lewis County Development Corporation, was unanimously approved.

e. Resolution No. 2016-08-100 approves a loan modification for 51-53 Market Street, in the Village of Potsdam. The interest rate is extended for an additional 24 months at 1% at the monthly payment amount of $708.33, beginning with the July 1, 2016 payment and ending with the June 1, 2018 payment.

Upon a motion by A. MacKinnon, and seconded by F. Carter, Resolution No. 2016-08-100, Approving Loan Modification for 51-53 Market Street, LP, was unanimously approved.

f. Resolution No. 2016-08-101 authorizes an additional loan from the Community Development Loan Fund to St. Lawrence County Industrial Development Agency in the amount of $750,000 to bridge a New York State grant for the Newton Falls Rail Project for a term of eight months at an interest rate of 1.5%.

Upon a motion by F. Carter, and seconded by A. MacKinnon, Resolution No. 2016-08-101, Authorizing Additional Loan from Community Development Loan Fund to St. Lawrence County Industrial Development Agency to Bridge a New York State Grant for the Newton Falls Rail Project, was unanimously approved.

12. Solid Waste Management –

a. Resolution No. 2016-08-102 declares the Authority as the lead agency for purposes of a coordinated SEQRA review and classifies the adoption of the Local Materials Management Plan (LMMP) as a Type 1 Action under SEQRA. The 30 day public comment period for the LMMP begins from the date of publication of the notice with the Authority accepting written comments during this 30 day period. Copies of the LMMP will be sent to all three counties and the Town of Rodman, and will be posted on both the Development Authority's and NYSDEC's website.
Upon a motion by M. Murray, and seconded by D. Mastascusa, Resolution No. 2016-08-102, Declaring Intent to Comply with the Requirements of the State Environmental Quality Review Act for the Environmental Impact Review of Proposed Local Materials Management Plan, to Act as Lead Agency for the Review, to Classify the Action, and Opening a Public Comment Period on the Plan, was unanimously approved.

b. Resolution No. 2016-08-103 authorizes the clear bag initiative reimbursement. The Development Authority will purchase surplus nontransparent bags from any municipality which is utilizing and distributing nontransparent bags in an effort to facilitate conversion to the municipalities’ use of clear bags. The Authority will issue payment to the municipality upon submission of an invoice and inventory, identifying the volume and costs of the nontransparent bags being redeemed.

Upon a motion by D. Mastascusa, and seconded by M. Murray, Resolution No. 2016-08-103, Authorization of Recycling – Clear Bag Initiative Reimbursement and Redemption for Municipalities, was unanimously approved.

d. Resolution No. 2016-08-104 authorizes the annual filing of an application for household hazardous waste state assistance. The Authority will fund the entire cost of the household hazardous waste program and receive reimbursement by New York State for the share of costs as indicated by the contract.

Upon a motion by D. Mastascusa, and seconded by M. Murray, Resolution No. 2016-08-104, Authorizing Filing of an Application for State Assistance Program and Signing of the Associated State Master Grant Contract Under the Appropriate Laws of New York State, were unanimously approved.

e. Resolution No. 2016-08-105 affirms the submission of a funding application under the Municipal Waste Reduction and Recycling Program for potential reimbursements for local recycling initiatives.

Upon a motion by F. Carter, and seconded by A. MacKinnon, Resolution No. 2016-08-105, Affirming Application for New York State Assistance Municipal Waste Reduction and Recycling, was unanimously approved.

13. Telecommunications

a. Resolution No. 2016-08-106 amends the Telecommunications Capital Budget for Fiscal Year 2016-17 for an increase of $170,000 in capital for a project total of $520,000 for “Project 30607 – Wireless Tower Service” by transferring funding from the Telecommunications Repair and Upgrade Reserve.

Upon a motion by D. Mastascusa, and seconded by M. Murray, Resolution No. 2016-08-106, Amending the Telecommunications Capital Budget for Fiscal Year 2016-17, was unanimously approved.
b. Resolution No. 2016-08-107 amends the Telecommunications Capital Budget and Operating Budgets for Fiscal Year 2016-17, increasing the Capital Project to $1,898,000 and amends the Telecommunications Operating Budget, increasing the New York State grant revenue to $1,898,000.

Upon a motion by F. Carter, and seconded by D. Mastascusa, Resolution No. 2016-06-107, Amending the Telecommunications Capital and Operating Budgets for Fiscal Year 2016-17 Public Emergency Grant Project, was unanimously approved.

c. Resolution No. 2016-08-108 authorizes establishment of a Telecommunications Capital Project for the Avangrid/Iberdrola Network Construction in the amount of $1,750,000 with funds coming from the Telecommunications reserves. This resolution also authorizes the Executive Director to enter into an agreement with Avangrid/Iberdrola USA.

Upon a motion by F. Carter, and seconded by M. Murray, Resolution No. 2016-08-108, Authorizing Capital Project to Provide a 10 Gigabit Per Second Wavelength and Authorizing an Agreement for Avangrid/Iberdrola USA (NYSEG), was unanimously approved.

14. Water Quality –

a. Resolution No. 2016-08-109 authorizes an Operations and Maintenance Service Agreement with the Village of Sackets Harbor for their wastewater treatment facilities. The contract amount is for a total of $190,121 and a term of five years.

Upon a motion by F. Carter, and seconded by M. Murray, Resolution No. 2016-06-109, Authorizing Operations and Maintenance Service Agreement with the Village of Sackets Harbor Wastewater Treatment Facilities, was unanimously approved.

b. Resolution No. 2016-08-110 authorizes an Operations and Maintenance Service Agreement with the Village of Sackets Harbor for their water treatment facilities for a total amount of $140,604 and a term of five years.

Upon a motion by A. Calligaris, and seconded by F. Carter, Resolution No. 2016-08-110, Authorizing Operations and Maintenance Service Agreement with the Village of Sackets Harbor Water Treatment Facilities, was unanimously approved.

15. New Business – None

16. Executive Session – Upon a motion by F. Carter, and seconded by A. Calligaris, the Board of Directors went into Executive Session to discuss the “...employment history of a particular person or corporation, or matters leading to the appointment, employment, promotion, demotion, discipline, suspension, dismissal or removal of a particular person or corporation.”

Upon a motion by F. Carter, and seconded by A. Calligaris, the Board of Directors came out of Executive Session.
Chairman Turck stated no action had been taken during the Executive Session.

T. Hefferon recommended there be a motion to extend the contract with the Executive Director, James W. Wright, through August 31, 2019, (a two year extension) and recommended the Chairman, on behalf of the Development Authority, be authorized to enter into an employment contract with an annual salary not to exceed $185,000, and annual leave not to exceed six weeks, to be effective September 1, 2016.

Upon a motion by F. Carter, and seconded by A. Calligaris, the Executive Director's employment contract extension through August 31, 2019 was unanimously approved.

Chairman Turck called for a roll call vote:

A. Calligaris – Yes; F. Carter – Yes; T. Hefferon – Yes; J. Johnson – Yes;
A. MacKinnon – Yes; D. Mastascusa – Yes; M. Murray – Yes; Turck – Yes

This decision was affirmed by all nonvoting members in attendance.

17. Next Meeting – September 22, 2016 (Strategic Planning Session) will be held at the Hilton Garden Inn in Watertown.

18. Upon a motion by F. Carter, and seconded by M. Murray, the meeting was adjourned.

Respectfully submitted,

[Signature]

Thomas Hefferon
Secretary