



**MINUTES**  
**BOARD OF DIRECTORS MEETING**  
Thursday, August 26, 2021 – 10:00 AM  
Materials Management Facility – Conference Room 1  
Zoom Conference Call/Teleconference  
23400 NYS Route 177, Rodman, New York

The Development Authority of the North Country Board of Directors met in regular session in person and via Zoom Conference Call/Teleconference at the Materials Management Facility, Conference Room, 23400 NYS Route 177, Rodman, New York on Thursday, August 26, 2021 at 10:00 am.

**Members Present**

*Voting*

Frederick Carter, Chairman  
Margaret Murray  
Dennis Mastascusa  
Alfred Calligaris  
Mary Doheny  
Thomas Hefferon  
Alex MacKinnon  
Eric Virkler

*Non-Voting*

Stephen Hunt  
James Hollenbeck  
Brian McGrath

**Members Absent**

Nancy Henry

**Staff Present:**

Carl Farone, Executive Director  
Jennifer Staples, Chief Financial Officer  
Carrie Tuttle, Chief Operating Officer  
Stephen Bohmer, Director of Information Technology  
Dawn Caccavo, Comptroller  
Michelle Capone, Director, Regional Development Division  
Laurie Marr, Director of Communications and Public Affairs  
Brian Nutting, Director of Water Quality  
Patricia Pastella, Director of Materials Management  
David Wolf, Director of Telecommunications  
Angela Marra, Executive Assistant

**Guests:**

Jennifer Granzow, Counsel, Wladis Law Firm  
Gary Turck  
Brian Wohnsiedler  
Tracy Yarina  
Larry Legault

1. Chairman Carter called the meeting to order at 10:05 AM.
2. Chairman Carter requested a roll call.
  - A quorum of voting and non-voting members was established.
3. Privilege of the Floor was offered
4. Upon a motion by M. Murray, and seconded by D. Mastascusa, the minutes from the June 24, 2021 Board Meeting, were unanimously approved.
5. Chairman's Report

- a. Resolution No. 2021-08-101, conveying the most sincere gratitude of the Development Authority of the North Country to Gary L. Turck for 15 years of dedicated service in advancing the interests of the North Country.

C. Farone read the resolution in its entirety, and personally thanked G. Turck for his service. G. Turck stated it has been a pleasure and the Board has done a great job. He further welcomed Eric Virkler who will be replacing him.

G. Turck left the meeting at 10:10 AM.

- b. Lewis County Appointment of Eric Virkler effective August 6, 2021 (4 year term)
- c. Mr. Virkler has been appointed to the Finance & Budget Committee and the Project Development Committee.

B. McGrath asked for an introduction of the new board member, Eric Virkler. E. Virkler responded that he has previously worked with the Development Authority when he served as the treasurer for the Village of Lowville. He studied accounting in college and worked with Lewis County General Hospital in finance before transitioning into economic development with Lewis County Economic Development and Planning, then as the Executive Director for the Lewis County IDA, before moving back into accounting as the Lewis County Treasurer. He commented that he has been a lifelong resident of Lowville, outside of 10 years spent in Syracuse. His hobby is physical fitness and triathlons as he enjoys the outdoors. F. Carter commented that he feels E. Virkler will bring much to the Board.

B. McGrath asked if counsel had been consulted regarding any legal conflicts.

J. Granzow responded that counsel was consulted regarding legal conflict and E. Virkler will recuse himself from anything directly involving Lewis County and there is no perceived conflict of interest. D. Mastascusa stated we have had other elected officials on the Board in the past.

6. Executive Director's Report

- a. COVID Update

The COVID team has met regularly. We have not required staff to be vaccinated, but we are following protocols that require masks for unvaccinated staff in public settings. Vaccinated are allowed not to wear masks. The map is being reviewed daily for the status of our three counties. We are hopeful that the new governor

will give more guidance regarding precautions. Personally C. Farone would love to see everyone be vaccinated, but we have not gone to the point of requiring it and if we were to consider this the Board would be involved. We are working diligently to keep our staff safe with 20% of the staff still working from home to allow ample space at the office for separation. 68% of the staff are vaccinated and we hope to get more vaccinated with the new Pfizer approval. We are continuing to separate and do the right things. We have been successful and stayed 100% operational so far, but are concerned it could get worse again.

B. McGrath asked regarding the 68% vaccinated if we are actively soliciting vaccination status. He further asked if this number is not reporting that 32% are unvaccinated, but that there are some people not responding. C. Farone stated there could be, but is unsure as to why they wouldn't respond because they are then required to wear masks. B. McGrath commented that nonresponses tend to be those who wish to work remotely. C. Farone stated there are a few people in the office who are unvaccinated. C. Tuttle commented that we do have some staff who feel it isn't Authority business to know their vaccine status.

B. McGrath asked if the Authority could enter into union trouble with imposing a mandate. C. Farone responded no. B. McGrath asked if it was purely a strategic decision as to whether vaccines are required. F. Carter stated that we cannot violate individual rights, but they do not have to have a union. B. McGrath responded that there are religious and healthcare exemptions, but there is no legal impediment for the Authority to mandate a vaccine. This is a matter of choice, and if they do not want it they can choose to work elsewhere like many other employers. C. Farone stated that at this point we have chosen not to mandate vaccines.

F. Carter stated that there are procedures going on resulting in people having to pay more money for their health insurance coverage. This will all have to be looked at by the Board and we will have to make those decisions. F. Carter further stated that the unions want to see all people protected, especially the kids. He doesn't feel there is anyone against it as long as it is done fairly for everybody. We are not sure how we are going to control it as it may entail testing every week. Health insurance is going to be increased. J. Hollenbeck stated there is going to be a lot of controversy.

B. McGrath stated that a couple of large employers have recently changed their healthcare benefits to read if you choose to remain unvaccinated then your portion of the insurance premium each month is higher than those vaccinated. Since we are not under the state healthcare system we could look at something like that as an incentive. He further stated there are hard costs if someone gets COVID, and asked if this is something that has been looked at. C. Farone responded that it has not been looked at yet, but it is something that we will look into as we review all options to see what would make the most sense.

T. Hefferon asked how many staff are vaccinated, and if the others just don't want to. C. Farone stated that we are currently at about 70%, with the remaining just not wanting to or not wanting to tell us. C. Tuttle stated there are some with medical exemptions. F. Carter commented that down the road he feels this will be a personnel issue that the full Board is going to have to look at. B. McGrath stated that he feels this needs to be looked at now because it is clear that COVID is not a pandemic, but an endemic and will be with us for years. Whether we look to our

healthcare obligations for those who take mitigation risks versus those that don't, rather than forcing someone to get it, paying additional healthcare is the best political compromise. F. Carter commented that a procedure does need to be set up. D. Mastascusa commented that we do not require proof of vaccination for any other reason from employees. B. McGrath stated that he would defer to legal, but the reason would be to form a defined medical plan, as long as the defined medical benefits are modified so that any criteria we want can be set up and remain consistent with state or federal law. He further stated that part of the benefits package could be priced per proof of COVID vaccination. A. Calligaris asked if we really want the employee to pay more as we still have to attract good employees, and if they need to pay an additional \$200 we may need to pay the employees more. B. McGrath disagreed because if we have employees who end up in the hospital costing hundreds of thousands of dollars, the cost of the health insurance would be raised for everybody. A. Calligaris responded that employees could argue that they could get COVID even if vaccinated, meaning there is no clear cut answer. J. Hollenbeck stated that in today's world employees are hard to find, let alone good ones.

F. Carter stated we will have C. Farone contact Benefit Services Group and we will meet with the committee that is on health insurance to see what kind of guidance they want to look at. F. Carter stated he will make sure B. McGrath will be on that committee.

b. Board/Committee Meetings → Open Meetings Law

C. Farone stated this is directly related to COVID as over the last 17 months we have been operating under the Executive Order of Governor Cuomo that allowed us to have meetings that were not open to the public as long as a live streaming link was provided. He referred to a memorandum from J. Granzow, stating that the Authority is subject to the Open Meetings Law which reads that a meeting includes the use of video conferencing, not just a telephone call, for attendance and participation purposes by members of the public body.

C. Farone continued by stating that a public body that uses videoconferencing to conduct its meeting shall provide an opportunity for the public to attend, listen, and observe at any site at which a member participates. For today's meeting to meet the intent of the law, the Zoom meeting link was included on the meeting notice. In the past we have deemed that if a member was participating from their house their address would need to be included and people could come to your home and participate. After speaking with J. Granzow and our interpretation of the Open Meetings Law, in order to conduct business of the Authority during pandemic, we need the ability to conduct meetings utilizing this technology. If we did not, today's meeting would not have a quorum.

J. Granzow agreed that posting the Zoom link meets the intent of the Open Meetings Law because there are members participating from different locations via Zoom, and the public is able to participate via Zoom having a link where they can be placed on the Zoom meeting and muted unless there is an opportunity for them to speak, they are still able to fully participate which meets the intent of the Open Meetings Law. Previously, we had the cover of the former governor's executive order allowing this method, but now that the executive order has expired, we have new guidance from the state that is set forth in this memo.

C. Farone recommended that at least during COVID, we allow videoconferencing for any Board or committee meeting to continue to conduct Authority business.

A. MacKinnon stated that he participated via Zoom for the last meeting to participate in the combination of Zoom, telephones, and microphones around everyone. He could only hear Brian clearly because he was also on Zoom. He could only hear about half of what Carl was saying, and once in a while he could hear Peg but there were long periods of silence which is not the case as there is typically much discussion. He suggested that one type of technology be used, and that the combination must have been causing the interruptions.

C. Farone commented that we have had issues at many board meetings. Those on the call confirmed this was the best they have been able to hear. C. Farone stated that some of the issues are the result of the room size as well. Now that Board members have agreed to participate using videoconferencing, we will figure out the technological aspect using Zoom instead of two different applications.

A. Calligaris commented that in the short term we have to be able to continue using Zoom. C. Farone responded that if we were not able to continue using Zoom we wouldn't have been able to meet today and conduct necessary Authority business.

M. Murray asked for clarification that it is only Zoom videoconferencing, and not called in on the phone. C. Farone confirmed it is supposed to be video conference, pursuant to the law so you can be seen attending. F. Carter commented that we will probably be seeing these procedures handed down by our new governor. He will also make sure that this document will get to all of the Board members for their review, and further stated that many of these things are personal issues and we want to make sure we do not violate people's rights.

B. McGrath commented that J. Granzow's interpretation seems spot on and consistent with the intent of the Open Meetings Law. If a Zoom link is provided, this increases the probability of the public to attend the meeting. The administrator of a Zoom has the right to mute people, and as long as those controls are in place he sees no reason to deny the public access to an open meeting through Zoom. F. Carter stated that anyone attending who is muted will only need to raise their hand and they can be brought into the discussion.

C. Farone asked if it was the consensus going forward to be acceptable to continue to conduct Board meetings as well as committee meetings given the option of videoconferencing capability. The response from the Board was a unanimous yes.

c. Audit RFP

C. Farone stated that the Bonadio Group has completed their five (5) year agreement with the Authority last year. Finance staff has written an RFP (request for proposal) for audit services. The RFP has been sent out to many audit firms in Jefferson, Lewis and St. Lawrence counties as well as MWBEs and SDVOBs. Once the responses have been received, the Audit Committee will convene to review the results as they are the committee who will retain the auditors. Once the information has been compiled and presented to the committee, they will then make a recommendation to the Board for another five (5) year term with the

potentially new audit firm. We are required to have a different engagement audit partner every five years. While we have been using the Bonadio Group for the last 15 years, we have had three different audit partners through the same firm.

d. Broadband Study Update

The Lewis County study has been finalized. They have formed an ad hoc committee and committed \$1 million for the expansion of broadband in Lewis County. They have solicited for many grants, and have already received a \$263,000 Northern Border Regional Commission grant. There is close to 1,400 underserved homes in the county, especially around the Town of Denmark. This could be improved with one tower and four antennas to provide service to the area. 49% of those who responded to the survey are underserved. We will continue to work with each of the counties to determine where the most need is, and will assist where needed with GIS work, antenna placement, grant administration, or working with the service providers.

Senator Schumer gave a presentation and stated that the completed studies have well positioned the Authority and the three counties for grant funding opportunities. L. Marr and D. Wolf were at the meeting representing the Authority.

C. Farone continued by stating that the Jefferson County survey portion was completed in April with 1,439 surveys completed. B. McGrath asked if this was a good return rate compared to Lewis County. L. Marr responded that Lewis County had many comments which impressed the contractor. St. Lawrence County also had 869 comments and the contractor said they had never seen anything close to that number. There was a very good response rate, but you could see the differences between the counties. Jefferson County is better served from a broadband perspective, and Lewis and St. Lawrence Counties feel more passion and urgency about this issue as they have a greater population of unserved residents.

C. Farone continued that following the survey the Authority has converted everything into our GIS data so the different layers of service can be easily referenced making the work the consultants have done very valuable. This study will be presented to Jefferson County on September 29<sup>th</sup>.

St. Lawrence County closed the survey in May with 2,000 completed. D. Wolf will provide a demo on the GIS to their county staff next week. The northern 2/3 of St. Lawrence County seem well served with a lot of fiber, but the lower 1/3 does not have much service. This will be presented to their legislature in September.

B. McGrath asked what the flavor of some of the comments is. C. Farone responded that most of them refer to there not being enough competition in the area, some stated that they have no service and have to drive to the school parking lot for their children to learn, and other comments were just belligerent. B. McGrath stated that the situation of having to drive a child to a school parking lot is going to be very persuasive to support these projects. C. Farone responded that the timing of the study and the county's feedback have left us very well positioned to assist with some of the work and we are going to be able to help provide some solutions.

B. McGrath stated this is really exciting work and was well done by the staff. This is very important work and he is proud that this organization has taken this on.

A. MacKinnon stated it is important to note that Verizon FiOS in his area has been run where there are telephone wires whether there are homes there or not. If this lasted a million years they would never get the money back that it has cost to string those wires, just the like the Rural Electrification Act. C. Farone responded that there is wireless technology out there that can provide a solution.

e. Household Hazardous Waste Collection Days:

C. Farone read through the dates and locations:

- i. September 11<sup>th</sup> in Lowville at the Lewis County Transfer Station
- ii. September 18<sup>th</sup> in Canton at the St. Lawrence County Human Services Building
- iii. October 2<sup>nd</sup> in Watertown at the Jefferson County Highway Garage

f. Grant Funding Applications

C. Farone stated that with previous resolution, 2021-06-99, the executive director was given authorization to submit grant applications on behalf of the Authority that are consistent with our mission. Regional Development staff has submitted two requests for consolidated funding applications (CFA), to complete two comprehensive plans for Copenhagen and Turin. Once the money has been received, the Regional Development staff will complete the plans.

F. Carter announced that he will be working with C. Farone to prepare a letter for the new governor, inviting her to an Authority Board meeting so she see what we are all about. This will be an effort to ensure they know all the Authority does and that we are a main cog within Fort Drum. F. Carter wanted to make certain we were all on board to do the right thing for all our military partners.

7. Finance Report – Chief Financial Officer

J. Staples commented that the quality of the meeting is better today because we are in an Authority owned facility which makes it easier to install the proper equipment to ensure all can hear via Zoom.

J. Staples continued with reviewing the June 2021 financial information. Within the statement of net position there is a change in the overall assets and liabilities of \$740,000 in Q1, or less than 1% change with no notable changes.

Under the accounts receivables, overall AR is in very good shape with only Westelcom being closely monitored. Westelcom continues to make good faith payments and have verbally agreed to allow us to keep the USAC payments as was discussed in June. Under liabilities, there is a high accounts payable balance due to funds being held from payment by order of the Department of Labor (DOL) in the amount of \$1.2 million. This money will be released with the DOL's approval.

A. Calligaris asked for more detail of this situation. J. Staples responded that there is a vendor with the Southern Expansion, the Wesson Group, who had a sub-contractor on a previous job who underpaid their employees. We are now being asked by the DOL to

withhold payment to the Wesson Group, and they in turn are withholding payment to the subcontractor until the DOL notifies us how to proceed. C. Farone asked how long this money has been held. J. Staples replied it has been held since we received notice from the DOL in December of 2019 for the amount of \$602,000, and again in September of 2020 for an additional \$563,000. We have been in contact with the DOL regarding when this will be resolved, to which they typically respond they will let us know. A. Calligaris commented that he is surprised that the DOL would have a different contractor step in like that.

J. Staples continued with the financials moving on to the change in net position, overall revenue is \$6.3 million versus the budgeted \$6.7 million. Waste diversion revenue is off, but will be corrected with a resolution within this meeting. Grant revenue is lower than the budget due to the Army Water Line. There is a line in the budget for the waterline assessment project that was spread evenly over 12 months. We billed \$322,000 in July and will see the catch up in the next review. Customer billings are over budget due to tonnage at MMF because 56,000 tons were received in the first quarter, versus the budgeted 54,000. Contaminated soil was under budget by 2,600 tons and municipal waste was over budget by 2,700 tons. Most items under expenses were under budget, except for closure and post-closure costs, which were over due to market adjustments. Treasury bonds require a onetime adjustment at purchase and are then adjusted based upon market fluctuations each month after. Please note that losses in market adjustments are not realized unless the investment is cashed in early, making this an accounting entry only. Community benefits is over budget due to timing, as the CRHP benefits are paid once per year but the budget is spread out over 12 months. Interest income continues to be below budget as interest rates remain low. In total, the change in net position is a loss of \$398,000 versus a budgeted loss of \$826,000.

A. Calligaris stated that we seem to be ahead of the budget by about \$400,000 and asked if the budget is too conservative or is it something that is just realistically happening. J. Staples responded that it is a bit of a mix as some adjustments need to be made and are part of an upcoming MMF resolution. The other reason is the budget is spread evenly over the 12 month period and timing will affect that.

Upon a motion by D. Mastascusa, and seconded by A. Calligaris, Financials ending June 30, 2021, was unanimously approved.

## 8. Governance –

- a. Resolution No. 2021-08-102, authorizing the Executive Director to implement the Access Control Plan for the Warneck Pump Station, Materials Management Facilities, and the Recycling Transfer Station effective August 26, 2021.

Upon a motion by A. Calligaris, and seconded by M. Murray, Resolution No. 2021-08-102, Approving the Access Control Plan, Warneck Pump Station and Materials Management Facilities, Revision, was unanimously approved.

- b. Resolution No. 2021-08-103, approving the Telecommuting Policy.

C. Farone stated this is a new policy. Some Authority staff have been doing this for many years, but there has never been a formal policy. Legal counsel, J. Granzow, has reviewed the policy and stated that it looks very good from a legal standpoint. Through COVID, it

has been realized that working from home can be very effective for certain staff. These would be the positions that are typically in the field, such as telecommunications.

A. Calligaris commented that this would work very well with technical jobs and could help retain employees. C. Farone commented that this results in more productivity because they don't have the commute. Certain positions would be eligible, but the employee would still need manager approval. We have had the ability to test this for the last 17 months. This is a different direction for the Authority than may have been considered a few years ago. We have been forced to utilize the technology, and thanks to the awesome job done by the IT department, it works very well. We would like to implement this policy, and have an annual review for the Board.

Upon a motion by A. Calligaris, and seconded by A. MacKinnon, Resolution No. 2021-08-103, Authorizing Telecommuting Policy, was unanimously approved.

F. Carter asked why this policy wouldn't be good for all staff at the Authority. C. Farone responded that it is for the Authority as a whole, but the executive director will identify certain positions deemed feasible to telecommute.

S. Hunt stated he feels this policy makes a great deal of sense, and wanted to ask about legal obligations in regards to safety. C. Farone replied that it has been reviewed and determined if someone is working from home, three pictures will be required of the actual office work space to ensure it is an actual office. This space is then subject to Authority inspection because when on Authority time from home, staff are still covered by our workers compensation. If they are hurt while working, they are covered. C. Tuttle added that a great deal of work and research has gone into this and the policy is very specific. If an employee goes to fetch their mail during lunch and slips and falls, this is not a workers compensation case because they were not performing a work function. C. Tuttle further stated that over the past year there has been a significant decrease in the number of workplace incidents because people are working from home and do not often deal with inclement weather or slipping hazards.

B. McGrath asked what the IP security protocol is for people working from their home office, and if they need to VPN in and if there are additional security measures. C. Farone responded that any employee working remotely must log in through a virtual private network (VPN) with credentials. C. Tuttle added there is a multifactor already in place due to many staff currently working remotely. J. Staples further commented that the procedure states if you are using your company computer on the internet you are required to VPN in. B. McGrath asked if the Internet Explorer or Google Chrome are disabled if the staff have not logged on to the VPN. J. Staples responded that we have a procedure that all employees have reviewed and signed that requires them to VPN in when using their company computer on a Wi-Fi network. B. McGrath asked if the employee is on Chrome without having used the VPN on a work computer, and were to have an issue and then utilize the VPN could there then be an issue. He further asked if the browser could be disabled until the employee has signed in through the VPN, and is that something the Authority would consider. J. Staples stated this has not been explored, but we can certainly look into that.

#### 9. Technical Services Summary Report –

C. Tuttle reviewed the contracts listed individually, and the table was approved with two motions. These items are within our service area, and under \$100,000.

- I. Town of Lisbon, SCADA Services Agreement, Well Site Controls Upgrade, Total agreement amount of \$23,000, 9/10/21 – 3/31/22.  
Per C. Tuttle, this is a new agreement.
- II. Village of Heuvelton, SCADA Services Agreement, Water System Improvements SCADA Services, Total agreement amount \$38,000, 8/1/21 – 3/31/22  
C. Tuttle stated this is an amendment to the original agreement.

Upon a motion by M. Murray, and seconded by A. MacKinnon, Board Contract Summary Table items numbered I and II for the month of August, was unanimously approved.

- III. Village of Lyons Falls Technical Services Agreement, Lyons Falls Mills Site Phase 5, Total Agreement \$15,000, 8/15/21 – 12/31/21  
Per C. Tuttle, this is a new agreement.
- IV. Lewis County, Technical Services Agreement, Amendment No. 1 Turin Brick Block Building, Total Agreement \$11,900, 7/22/21 – 3/31/22  
C. Tuttle commented that this is the debris to be removed following a fire in an attempt to clean up the Main Street building fire.
- V. Lewis County, Technical Services Agreement, RFP Writing Services, Total Agreement \$1,600, 7/16/21 – 8/31/21  
C. Tuttle stated that this agreement is to assist them in finding an operator for the Lewis County transit system.

Upon a motion by D. Mastascusa, and seconded by A. MacKinnon, Board Contract Summary Table items numbered III, IV, V for the month of August, were approved.

E. Virkler recused himself from this vote due to being a Board member with the Lewis County Development Corporation.

#### 10. Engineering –

- a. Resolution No. 2021-08-104, approving the Technical Services Agreement Amendment No. 1, between the Authority and the Village of Tupper Lake. The resolution further authorizes the Executive Director to execute said agreement.  
  
C. Tuttle explained that this award was delayed due to COVID.

Upon a motion by D. Mastascusa, and seconded by A. Calligaris, Resolution No. 2021-08-104, Amendment 1, Technical Services Agreement, Village of Tupper Lake, Shared Services Records Management Improvement Project, was unanimously approved.

- b. Resolution No. 2021-08-105, approving the Technical Services Agreement Amendment No. 2 between the Authority and the Village of Tupper Lake. The resolution further authorizes the Executive Director to execute said agreement.

Upon a motion by D. Mastascusa, and seconded by M. Murray, Resolution No. 2021-08-105, Amendment 2, Technical Services Agreement, Village of Tupper Lake, Sewer Improvement Project, was unanimously approved.

## 11. Materials Management

### a. Materials Management Update

P. Pastella began the PowerPoint presentation with recent capital project updates in regard to the southern expansion for cells 12 and 13, Closure 4, and the Access Control for the O&M building modifications. C. Tuttle will then discuss landfill planning, the original landfill planning project life, the southern expansion fill progression and future closure plans.

P. Pastella started with reviewing a timeline of the landfill history from 1986 through present. A capital project update on the southern expansion was presented to review the construction certification report, construction of the new cells, leachate collection and storage, storage building 4, pump station 3, waste placement timeline, and budget expenditures for the southern expansion. A review was done of the blue print displaying all new construction. Stage 4 closure has been completed this year and is now water and gas tight in part to the liner material placed on top of the existing waste mass. The next closure project will be closure 5 and will be constructed in 2026.

J. Hollenbeck asked how long this will continue to produce methane. P. Pastella said that this is a very new landfill with little history indicating when the gas will trail off. The gas production is monitored to see how it is changing. Much of this depends on the moisture content, organics, and materials within the landfill. J. Hollenbeck asked if the landfill will continue to settle, to which P. Pastella replied yes.

F. Carter asked how many new wells will be drilled. P. Pastella responded that not all wells are in place and that our consultant does this planning based on the total acreage. F. Carter further asked if we know the cost of one well. P. Pastella replied it is roughly \$150,000 per well. B. Wohnsiedler commented there is too much infrastructure to break it out per well, but we can look into the drilling cost per foot. F. Carter asked if this project was put out on contract, and P. Pastella responded yes.

C. Farone stated that we hope it continues to produce methane because we are able to sell that as electricity which earns almost half of a million dollars each year. Landfills need water in order to produce methane and some landfills are actually recirculating the leachate to continue methane production. F. Carter asked if our LFGE partner shares in the cost of drilling these wells. C. Farone confirmed they do not, and further stated that this is the cost of being good stewards.

P. Pastella commented that the gas must be collected once the cell is sealed or it would become a big balloon. F. Carter asked about the cost of the generators. C Tuttle responded there are four generators and burning the gas is very important for odor control for the community. This is also important for safety since the gas

will need to be dealt with to ensure there are no explosions or other hazards. C. Tuttle continued by saying that within the budget you will see this is an evolving process with only two of the 20 cells in the southern expansion being built so far. Also, since there is no waste currently in the southern expansion, there is no gas collection system there yet.

E. Virkler asked if the leachate provides moisture within the closed sections, is it reasonable to cap it. C. Tuttle responded that we don't want to generate leachate as it is expensive to process. This landfill is in a fairly wet area and the recirculation is more useful in drier areas. Precipitation will continue to get in through the areas that are not closed, and there is moisture, water and organic material in the already closed areas that will continue to break down.

C. Tuttle continued the presentation with landfill planning. Topics covered include the remaining life of the current landfill, permitted airspace capacity and revenue. Assumptions and calculations drive the life of the landfill as well as the cost estimates. Some assumptions we are working with are how much waste, what type of waste, and how much it can be compacted. This information, along with historical data, are used to project these models because we want to maximize the permitted usable airspace to increase our efficiency and better our costs. Another way to maximize airspace, in terms of the 360 Permit, is to look at how high we can go. Operationally there are changes to the permit that come into play over time and with the southern expansion we are now permitted to go to 1256 feet, but will end up at 1243 feet. This height is driven by requirements for the side slopes, steep safety, ability for trucks to safely enter that area, and to provide cover for that space.

B. McGrath asked if that means 1243 feet above sea level. C. Tuttle responded yes. She further stated that the southern expansion refers to cells 12 through 20, and falls under a separate permit from the original landfill. However, both will be brought up to the same elevation to maximize space.

A. Calligaris asked why the height wasn't maximized to the 1256 feet. C. Tuttle explained it was not possible because the area gets narrower and we could not operate on the top. The permit was issued this way because the full design for the landfill was not completed.

C. Tuttle continued by discussing the basis of assumptions and how this brings us to the projection of the original landfill being mostly filled by the year 2027. This will not be capped right away to allow time for settling, and then again for us to maximize the airspace left by the settling. The new southern expansion will overlap operations with the original landfill to allow us to be selective with the material because we don't want to damage the leachate collection system or the new liner. C and D, sludge and other nasty items will continue to go into the original landfill while we build a nice base layer in the new landfill.

C. Tuttle discussed how each year the Authority GIS staff walk the working face of the active landfill and take topographical measurements. This data is then submitted to our consultant who turns it into a 3D model of our waste mass, resulting in the calculation of the waste density. This information helps to update projections for how long the landfill will last. P. Pastella commented that this image also provides a good visual as to why we are not able to build up to 1256 feet.

C. Tuttle continued with the landfill cell construction plan and how they will be built out. She shared good depictions of where the new southern expansion will overlap the original landfill, the building and use of the upcoming cells in order, and the projected years based on the expected volumes. C. Farone commented that when we enter the area of the original landfill, pursuant to our 360 Permit, we will have to pay back \$1 million dollars to the DEC (Department of Environmental Conservation) because they provided the Authority with the grant for the closure of those cells. C. Tuttle reviewed the size of cells 12 and 13, noting they are very small based on the geometry of the space we are dealing with.

Closures for the different cells were displayed showing the existing closure areas and the years the future closures are predicted to be completed. This information will be reviewed and refined as the process moves further along. The topo maps will continue to be done annually so we can continue to update the waste volumes and other operating data. These updated projections will flow into the long range capital plans and assist the forecasting of the landfill construction, as well as preparing the budget.

Lunch was served at 12:03 PM.

C. Farone commented that the MMF presentation is important to review the landfill history as we discuss opening the southern expansion. As was discussed at last year's budget work session, once the southern expansion becomes operational there will be a requirement to increase tip fees. Opening the southern expansion is like creating a new landfill and that has financial assurance projections. Owning and operating a landfill is expensive, even with the \$8 per ton suggested increase we are still the lowest MSW in the state.

- b. Resolution No. 2021-08-106, approving the reserve transfer to adequately fund Materials Management reserves as shown on the resolution. This resolution further approves that effective January 1, 2022, the tipping fee for municipal solid waste, construction and demolitions waste, and ash shall increase to \$47 per ton, with no discount being offered for municipal solid waste, construction and demolitions waste, and ash. Effective January 1, 2022, Reserve requirements per ton (included in the tipping fees) shall be: Closure - \$3.50, Replacement - \$5.00, Liner - \$6.00.

C. Farone continued by reviewing the appendices included with the resolutions beginning with Appendix A and reviewing reserves and commitments, resulting in a total of just under \$40 million in reserves. The reserve narrative explains how the Board designated replacement reserve needs to be kept at \$5.3 million in order to replace necessary equipment, building additions and other items of that nature. The closure and post-closure reserves are designated by the DEC. The closure reserve is to fund the closing of all open acreage within the landfill at any given time. The southern expansion complicates this at this time because there has to be enough funds to close the maximum open acreage of the Southern Expansion. By our calculations, through 2074 this would be 44 acres. The post-closure reserve is to maintain the landfill for 30 years past its projected closure in 2074. C. Farone continued by reviewing the capital reserve which was created because of the southern expansion, and the wetlands mitigation reserve which was required by the corps of engineers in relation to the southern expansion but is no longer required at its current reserve amount. It is being recommended to move \$1 million

dollars from the wetlands mitigation to another reserve that needs the funds. There is also a liner reserve, which has not been funded since 2012 when the last liner was constructed before the southern expansion. Within the 2021 budget there is a self-insurance fund that the board designated to the liner reserve. The tip fee stabilization reserve is at \$4.4 million and can be used to offset rate increases. The proposed increase within this resolution would not put the Authority in the black, however staff will work to reduce costs in various ways as well as utilizing the tip fee reserve. Lastly is the landfill gas reserve which will be used to pay for the landfill gas expansions previously discussed in the meeting.

C. Farone reviewed Appendix B reflecting the replacement reserve showing out five years to match the five-year capital plan with the proposed tip fee increase included.

B. McGrath asked if some of what is being explained is an increase in tip fee, and some is an allocation of where the tip fee money is put. C. Farone said that is correct and this explanation is showing why the increase is needed.

Appendix C was reviewed showing the closure and post-closure projections using the same calculations with the construction costs for the closure of our cells.

A. Calligaris commented that a 2% inflation is being used based on historical data, but this year 5% inflation is being anticipated meaning that in the initial year, the need has been understated. C. Farone responded that they are using a 10-year history of the CPI as well as interest rates. A. Calligaris further stated that our interest rates are so low and asked if there is anything we could do to get better interest. C. Farone responded that everything is highly variable so changing from 1.6% to 2% would make a tremendous difference in these projections so we have used the 11-year average in CPI. A. Calligaris commented that all of this hasn't happened in 100 years since the Spanish Flu.

T. Hefferon commented that he doesn't foresee this changing over the next two or three years. A. Calligaris commented that the reserve change is justifiable. C. Farone stated that this was created in 2000 for the original landfill and everything was calculated out very well for closing it out. The current projections would get us within compliance for the 2033 DEC requirements for the maximum acreage. Furthermore, projecting out to 2076 there needs to be enough to fund the closure, and then maintain the post-closure requirement.

C. Farone also noted that our proposed fee would be \$52 per ton, other area counties are still much higher ranging from \$59 per ton to \$128 per ton.

B. McGrath asked if we have the data on how much these other areas have increased their fees percentage wise at one time because 18% is steep. C. Farone agreed that 18% is steep but there has not been an increase since 2013, and this should be done more frequently so there is not such a jump with regular rate increases.

A. Calligaris asked if this increase could be phased in. C. Farone replied that even at \$52 we are phasing it in because we will be subsidizing the operations through the tip fee stabilization reserve.

B. McGrath commented that the families are not going to feel that, they are only going to feel an 18% increase as it is passed down to them, and right now this is hard and there has to be a better way to do this math. He further stated that he thinks 18% is unconscionable at this time for struggling people, and he personally would be shocked with that.

J. Hollenbeck asked who our biggest hauler is. B. Wohnsiedler replied Casella Waste Services out of St. Lawrence County. B. McGrath stated they are not going to be paying this difference but will pass it along to the customer and 18% is crazy at one time. He understands the resolution proposes subsidizing this increase by moving money, but this doesn't make it easier for a struggling homeowner to get hit with an 18% increase in their waste bills and he doesn't see how anyone at this meeting could approve an 18% increase in one fell swoop. He understands the math, but there has to be a better way to fix this.

D. Mastascusa asked what would be a palpable rate of increase. He further commented that he understands what is being said, but the consumer will only understand that there is an increase and they will pay it no matter what the rate. It is an 18% increase, but it is the lowest in the region.

A. MacKinnon commented that it is the best tip fee and any increase is going to make them mad.

A. Calligaris commented that we need to look at the context that other costs are going up as well such as food and gas.

M. Murray asked if this could be done on a scale. A. MacKinnon stated that if we increase over five years, at the end of the fifth year it would be higher than the \$58. However he also stated that you cannot cut yourself short or it is going to be worse. A. Calligaris commented that we do have the time to phase this in, it does not have to be done right now and he further stated he does not feel like it is a good time. A. MacKinnon stated that we still have to begin raising the tip fee. No one disagreed with this fact. A. Calligaris suggested doing it in the manner that is not going to put a financial burden on the common person.

E. Virkler asked if the increase in the reserve contributions is \$10.75 per ton and we're increasing \$8 per ton, what is the annual estimate of how much is going to come out of that. C. Farone responded \$800,000. E. Virkler asked how many years are covered by the reserve. C. Farone respond about 5 years. E. Virkler continued by saying the typical monthly charge a person may pay for waste is about \$50, and J. Staples stated that an 18% increase would bring that to \$59. E. Virkler stated it is certainly significant. C. Farone stated this could be phased in over three years. A. Calligaris stated he would be more comfortable with a phasing. B. McGrath agreed with the reduced bite of an increase with it being spread over time to give people a change to adjust their budgets as there are many ways people can mitigate these expenses. If we were to hit them all at once with an 18% increase, everything we doing going forward is going to be scrutinized. He further commented that this project is part of our core mission and we need to remain mindful. If there is a way to phase this in, we should be doing so.

A. MacKinnon stated it would be \$1.35 per week, or \$5 per month, increase for him. A. Calligaris commented that there are families with more people in a household that this would cost more for.

F. Carter suggested phasing this in over a five-year period. C. Farone agreed this can be phased in, and there are other things within the budget that we are talking about but that maybe three years would be better. A. MacKinnon asked if C. Farone could come back with a proposal. C. Farone responded that we need time to be able to notify the counties of the increase so they can notify their customers, and this needs to happen as soon as possible. E. Virkler asked if the counties are aware of this increase, C. Farone responded yes, they are.

C. Tuttle commented that she would like to add that all previously discussed variables will continue to change. Committing to this five years from now will be difficult because many things outside our control can change. This is something that will need to be reviewed every year. One variable right now is state legislation that could impact every landfill regarding the state's tip fee. If this happens we will need to pass that cost along so we need to be careful not to guarantee this increase for the next five years.

E. Virkler stated if you think of an \$8 absolute term over three to five years, we are not looking at an 18% for \$8, but instead where do we need to be in five years to keep pace with inflation. C. Farone stated if today as a Board we agree to go from \$44 to \$47 as of January 1, 2022, that is a 6% increase, then we will need to reevaluate each year. B. McGrath stated this would be a good practice going forward as it has not been increased since 2013 and we should have been more engaged on that before. This will set us up in a better stewardship posture.

A. MacKinnon asked if the resolution will be changed to \$47. C. Farone replied yes, and the reserve contributions will be determined by staff.

Upon a motion by A. MacKinnon, and seconded by M. Murray, Resolution No. 2021-08-106, Financial Assurance & Tip Fee Requirements, Southern Expansion, Materials Management Division, was unanimously approved.

A. MacKinnon commented that one day this landfill will stop generating revenue, and the costs will continue forever. C. Farone replied that is what we are planning for.

- c. Resolution No. 2021-08-107, approving the stated costs thereof to be charged against the indicated reserves for the Fiscal Year 2021 – 2022 Materials Management capital project plan as set forth in Appendix B as attached to the resolution. The resolution further authorizes the Executive Director to execute said agreement.

Upon a motion by A. Calligaris, and seconded by D. Mastascusa, Resolution No. 2021-08-107, Amendment, Fiscal Year 2021 – 2022 Capital Project, Main Flare Siting and Sizing, Materials Management Division, was unanimously approved.

- d. Resolution No. 2021-08-108, authorizing amendments to the FYE 2022 Materials Management Budget as indicated in the table within the resolution.

Upon a motion by D. Mastascusa, and seconded by A. Calligaris, Resolution No. 2021-08-108, Amendment, Fiscal Year 2021 – 2022 Operating Budget, Materials Management Division, was unanimously approved.

- e. Resolution No. 2021-08-109, authorizing the Executive Director to act on behalf of the Authority to engage in necessary professional services and pay the required fees in order to register and sell carbon credit offsets associated with the landfill extension. The resolution further authorizes the Chief Financial Officer to report the details off such sales annually to the Authority Board of Directors once the sales have commenced.

C. Farone stated that the southern expansion is being cited as a new landfill and we would again be eligible to sell carbon credits. This would begin when we start putting trash into the new landfill, and will last for ten years. Once the methane begins to be produced we could see revenues of \$80,000 each year. The Authority must register within six months from the date of completion for the southern expansion to be eligible to sell carbon credit offsets.

J. Hollenbeck asked if we need to monitor the methane. C. Farone responded yes, someone will need to come and measure the amount of methane that is destroyed.

Upon a motion by D. Mastascusa, and seconded by E. Virkler, Resolution No. 2021-08-109, Authorizing the Sale of Carbon Credits, Materials Management Division, was unanimously approved.

- f. Resolution No. 2021-08-110, authorizing the Executive Director to accept the MRF Feasibility Study as prepared by SCS Engineers and elect not to proceed with the MRF Preliminary Engineering Report.

C. Farone stated all were very optimistic in the beginning, but upon review of the volumes and the high capital and operating costs, it no longer made financial sense.

Upon a motion by A. MacKinnon, and seconded by A. Calligaris, Resolution No. 2021-08-110, Authorizing Acceptance of Feasibility Study, Materials Management Division, was unanimously approved.

## 12. Water Quality

- a. Resolution No. 2021-08-111, authorizes the Executive Director to enter into Amendment #1 as attached to the resolution, regarding the Sewer Service Agreement with the Route 3 Sewer Board of Commissioners.

Upon a motion by M. Murray, and seconded by A. Calligaris, Resolution No. 2021-08-111, Amendment 1, Sewer Service Agreement, Route 3 Sewer Board of Commissioners, was unanimously approved.

## 13. Regional Development –

## Loan Report – M. Capone

M. Capone reported that only one borrower, MCM Development Malone, was four months past due. M. Capone stated she has been trying to work with them to obtain payments and then possibly restructure the loan. If a payment has not been received by the 1<sup>st</sup> of September, M. Capone will be issuing a letter of default and proceeding with legal action.

B. McGrath stated M. Capone has been doing a good job on the loan modifications. He further asked if the Board approved extension has expired, and if any other borrowers need assistance other than the one just referenced. M. Capone responded no, everyone has been doing quite well. Many have taken advantage of the federal and state programs that have been available. This one is a redevelopment project who has recently opened a new restaurant and has been struggling. An interest only payment option was offered to them but they have yet to make those payments. M. Capone is currently recommending that if they are able to make the interest payments from April – June, she would then come back to the committee with a recommendation to extend the interest only to continue to provide some relief. However, if they are not willing to make any payments this is a problem and we would consider sending a letter of default.

- a. Resolution No. 2021-08-112, approves the loan modification for Jefferson County Historical Society for an additional six months beginning July 1, 2021 and ending January 1, 2022, and authorizes the Director of Regional Development to execute all necessary documentation.

Upon a motion by M. Murray, and seconded by A. Calligaris Resolution No. 2021-08-112, Economic Development Fund, Jefferson County Historical Society, Loan Modification, was unanimously approved.

## 14. Executive Director's Annual Performance Review Form – Update

M. Murray reported the changes recommended by herself and M. Doheny to the Executive Director's Annual Performance Review Form. These changes are being recommended to help simplify the process. They both felt the questions themselves were pertinent, but by changing the response options the form seems to flow better. A space for additional comments was also added at the bottom of the form. ✓

F. Carter suggested a circle to fill in rather than a space to place a check mark.

C. Farone stated this will be added.

S. Hunt commented that this looks much better.

A. Calligaris stated that numbers are needed to quantify the answers. C. Farone responded that the columns will be assigned numbers 1-4, to generate a total.

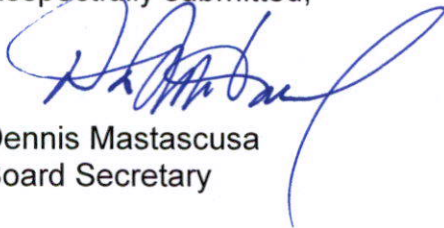
## 15. MMF Tour following the Board Meeting

16. Next Board Meeting Date – October 28, 2021 (Harbor Hotel, Clayton, New York)

F. Carter stated that he will work with C. Farone to get the new Governor here for the next Board meeting on October 28<sup>th</sup>. This request is not political, but instead to let her know what we do.

17. Upon a motion by D. Mastascusa, and seconded by A. Calligaris, the meeting was adjourned at 1:06 PM.

Respectfully submitted,



Dennis Mastascusa  
Board Secretary