

MINUTES
BOARD OF DIRECTORS MEETING
Thursday, October 28, 2021 – 10:00 AM
Harbor Hotel Conference Room
200 Riverside Drive, Clayton, 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 Harbor Hotel, Conference Room, 200 Riverside Drive, Clayton, New York on Thursday, October 28, 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

Nancy Henry
Stephen Hunt
James Hollenbeck
Brian McGrath

Members Absent

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
Regina Rybka-Lagattuta, Director of Human Resources
Angela Marra, Executive Assistant

Guests:

Jennifer Granzow, Counsel, Wladis Law Firm

1. Chairman Carter called the meeting to order at 10:00 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 D. Mastascusa, and seconded by M. Murray, the minutes from the August 26, 2021 Board Meeting, were unanimously approved.
5. Chairman's Report
 - a. Chairman Carter turned the meeting over to M. Capone as she had a situation to attend to this morning.

6. Regional Development –

Loan Report – M. Capone

M. Capone reported that all loans are currently paying as agreed. MCM Development is six months in arrears and has been sent to our collections attorney, Teresa Bennett. She will begin the process of sending notice to these accounts letting them know we are moving forward with collections. In regard to COR Development Arsenal Street, they began payments in September and are current. We continue to be in discussions with COR regarding the Mercy site. They are reaching out to the state to get a feel for the state's interest in supporting a project on the site.

The zoo received funds from us just over a year ago and they are doing very well. They are current on their loan as well, and released their master plan yesterday.

- a. Resolution No. 2021-10-122, authorizes the Comptroller or Chief Financial Officer to adjust the Regional Development budget for FY 2022 per the accounts and amounts as referenced within this resolution.

B. McGrath asked what is meant by additional expenses. M. Capone responded that the consulting expense is for the federal grant consultant which is the Department of Defense OEA Grant for the query tool. This means that "X" amount of funds were projected to be spent in 2021, but will actually be spent in 2022. C. Farone stated this is not additional funds, but a timing issue.

Upon a motion by T. Hefferon, and seconded by D. Mastascusa Resolution No. 2021-10-122, FY 2022 Operating Budget Amendment, Regional Development, Grant Expenditures, was unanimously approved.

- b. Resolution No. 2021-10-123, authorizing a negative declaration whereby the proposed action will not result in any adverse environmental impacts relating to the facilities constructed with funds from the North Country Value Added Agriculture Revolving Loan Fund to Matthew A. Martin, or a new corporation to be formed, for M&M Eggs.

Upon a motion by T. Hefferon, and seconded by A. MacKinnon Resolution No. 2021-10-123, North Country Value Added Agriculture Revolving Loan Fund, Matthew A. Martin, or New Corporation To Be Formed, SEQRA Negative Declaration, was unanimously approved.

- c. Resolution No. 2021-10-124, authorizes ratifying a loan in the amount of up to \$98,000 from the North Country Value Added Agriculture Revolving Loan Fund to Matthew A. Martin, or a new corporation to be formed, at the terms and conditions outlined within the term sheet attached to this resolution. Furthermore, the Executive Director or Chief Financial Officer are authorized to execute all documents necessary to make the loan.

Upon a motion by E. Virkler, and seconded by D. Mastascusa Resolution No. 2021-10-124, North Country Value Added Agriculture Revolving Loan Fund, Matthew A. Martin, or New Corporation To Be Formed, was unanimously approved.

- d. Resolution No. 2021-10-125, authorizes ratifying a loan in the amount of \$238,000 from the Regional Tourism Transformational Community Revolving Loan Fund to Sabael Industries, LLC at the terms and conditions outlined within the term sheet attached to this resolution. Furthermore, the Executive Director or Chief Financial Officer are authorized to execute all documents necessary to make the loan. This is considered a Type II Action under the State Environmental Quality Review Act (SEQRA) and is considered an exempt activity requiring no further action.

B. McGrath asked if this fund is administered by DANC. M. Capone replied that we were the grant administrator of those funds. They are actually Authority funds so we adhere to a work plan provided to Empire State Development to undertake the loans. B. McGrath asked if we prioritize the three counties we actually represent. M. Capone responded that these funds through the Empire State Development are for a seven county region.

C. Farone asked M. Capone to talk about the 1% interest rate. M. Capone explained that this was set within the application to Empire State Development. She further commented that this has been done to incentivize developers to invest in larger projects. While these projects are a higher risk, it is also an opportunity to assist these projects in the North Country.

Upon a motion by D. Mastascusa, and seconded by M. Murray Resolution No. 2021-10-125, Regional Tourism Transformational Community Revolving Loan Fund, Sabael Industries, LLC, was unanimously approved.

- e. Resolution No. 2021-10-126, authorizes ratifying a loan in the amount of \$250,000 from the Regional Tourism Transformational Community Revolving Loan Fund to Sirref Properties, LLC at the terms and conditions outlined on the attached term sheet. Furthermore, the Executive Director or Chief Financial Officer are authorized to execute all documents necessary to make the loan. This is considered a Type II Action under the State Environmental Quality Review Act (SEQRA) and is considered an exempt activity requiring no further action.

B. McGrath asked if we are in the third position. M. Capone stated we are, but this is substantiated by the appraisal.

B. McGrath asked if we were financing 100%. M. Capone responded the owner is providing some cash, but we are not financing 100%. B. McGrath commented that it will be tight. He further asked what will happen if the appraisal drops below the 1.0. M. Capone stated that we would have to either adjust the loan amount to meet the 1:1 loan to value or come back to the board. The loan could not close if the appraisal

amount is not met. M. Capone noted that the U.S. Small Business Administration considers our loan funds as equity.

Upon a motion by D. Mastascusa, and seconded by M. Murray Resolution No. 2021-10-126, Regional Tourism Transformational Community Revolving Loan Fund, Sirref Properties, LLC, was unanimously approved.

M. Capone left the meeting at 10:12 AM

7. Executive Director's Report

a. Introduce K. Feuka -

C. Farone introduced K. Feuka by reviewing his credentials and previous employment. He also added that K. Feuka lives in Canton and has a desire to make the North Country a better place.

K. Feuka stated that he is honored to work at the Authority, and could not think of a better way to advance his profession and career than by working to the benefit of the North Country. He is looking forward to using his 35 years of experience in all forms of government in public services. He welcomed any Board member to reach out and get to know him a little better and share the mission and vision for the benefit of the North Country.

K. Feuka left the meeting at 10:15 AM.

b. COVID Update

Protocols have been changed within the Authority to require masks and social distancing regardless of vaccination status. 76% of Authority staff are now vaccinated, and we continue to stress the importance of the vaccines.

The Authority has large contracts with the federal government on Fort Drum. We have been in constant communication with Fort Drum and our contracts are not currently considered covered contracts for mandated vaccines, but we believe that this may change at some point. At that time Authority employees would need to be vaccinated. We will continue to monitor this daily and do what is required to remain 100% operational.

c. Household Hazardous Waste -

The Authority held five Household Hazardous Waste events in 2021. 1,130 households participated with 57,000 pounds of waste being collected.

d. Solar Feasibility Analysis -

This was a topic at last year's Strategic Planning. 4th Coast, an MWBE, provided us with a draft report. The report findings are mixed regarding if solar would be beneficial to the Authority. Looking at a return on investment, this may take 20 years to see repayment. We are in a better position to evaluate the solar project at the Materials Management Facility. One option would be to provide power just for the solid waste facility which could produce a savings of \$40,000. A second option would be to create a bigger solar system that we could then sell. This option

would depend on National Grid, and we wouldn't know the cost until we submit an application. The recommendation at this time is to submit the application and see if this would be financially feasible. The project cost could be \$50,000 to \$3 million. From a staff perspective, this is going to cost roughly \$11,000. We have money in the budget and we would recommend taking the next step and see what National Grid would charge us since that is a major factor in the cost. Staff will also determine which grant funds, if any, are available. We are hopeful with the current administration's emphasis on becoming green that we could possibly get 50% in grants.

F. Carter asked if we are already connected to the grid with our generators, why we wouldn't just use them. C. Farone responded that this was reviewed to determine the capacity of that facility. That is a transmission line and the grant would look at seeing if that system could be upgraded versus building new. C. Tuttle added that the system was only constructed to support the capacity of the engines that we have at the Landfill Gas to Energy Plant. We don't know what the capital cost would be to upgrade that and if that would be the most feasible solution, or if we should put in a separate interconnect. She continued by saying that there may not be enough capacity within the current transmission system to handle additional power produced by the proposed solar.

F. Carter stated that the solar would be considered green, but from engineers and electricians he has spoken with who work in this business, if upgrades are not done within a 20 year program the project is outdated. He further stated that he feels the project should be moved forward and we should get the report.

A. MacKinnon asked if we were talking about the solar on the buildings. C. Farone stated it would be on the property, but not on the actual landfill.

M. Doheny asked if this would be visible from the road and to the neighbors. C. Farone stated that within the preliminary design, no.

F. Carter asked if we were to sell the rest to National Grid would we be paying \$40,000 over 20 years. C. Farone responded that these are high level estimates on investment, and the investment could offset the \$40,000 that has been allocated. C. Tuttle further commented that part of that depends on if we lease the space to a developer and do not actually own the solar. They would do the build and in turn pay the Authority a flat fee. This is similar to the agreement we currently have with ARIA.

A. Calligaris asked if trees would need to be cut to open the space. C. Farone responded that yes, right now this is very preliminary.

J. Hollenbeck stated he thinks it is well worth investigating.

C. Farone commented this is only the first step. National Grid may come back and state it is going to cost \$1 million, and at that point we may determine it not to be worth it.

M. Doheny asked if there was any downside to submitting to National Grid. C. Farone responded that he doesn't know of any.

F. Carter asked if the cost is \$11,000 to submit to National Grid. C. Farone replied yes. F. Carter stated that he is not interested in doing this with a partner again. He further stated that the overall consensus seems to want to move forward.

e. AWL Integrity Assessment -

We hired Pure Technologies on an \$800,000 contract to evaluate our pipeline. They have found no leaks, but there are certain parts they noted are in need of repair. We are utilizing this information and excavating the various sections of pipe to validate that portion is damaged. Based on the information obtained a determination will be made for which portions of the waterline need to be replaced, relined or other various fixes. If damage is confirmed we would develop a plan from a county perspective for the cost and then look for grant funding to assist as this was a project that was paid for originally with grant money.

F. Carter asked if the federal government would be a possible grant opportunity. C. Farone stated that we are hoping federal but are not limiting the search to only that. He further stated we should know by maybe next year.

F. Carter asked if this evaluation was done with a camera. C. Tuttle explained that it was done with a device that was placed through the valves in the line and would then transmit a signal. Electronic equipment above ground then received the signal and could determine the pipe wall thickness.

B. McGrath asked where the microphones are in the room as he is hearing from the governor's office that they cannot hear the meeting. S. Bohmer explained that the Zoom meeting was what was being webcast and S. Hunt confirmed he could hear the Zoom meeting clearly.

8. Finance Report – Chief Financial Officer

J. Staples reviewed the August 2021 financial information. Within the statement of net position there is a change in the overall assets and liabilities of \$1.3 million from fiscal year end, March 31st through August 2021.

Within assets, under the accounts receivables there is an increase of \$500,000 however in September we did receive payment from USAC for the previous contract year and will be applied in September. A portion of that payment would have typically gone to pay Westelcom, but was instead used to decrease their current balance. Recently our Telecommunications Division signed an IRU agreement with them in the amount of \$60,000. Part of that agreement is to not pay, but reduce their AR balance. All other AR accounts are in good shape. Also under assets, investments have decreased around \$2 million, and restricted assets have increased by the same. These funds were moved to fully fund the financial assurance account which is a DEC financial requirement for the closure and post closure care, which was approved by the Board under resolution #106 this year.

Under liabilities, our accounts payable increased by approximately \$1 million. We did receive approval from the Department of Labor to pay our vendor so they can then pay the subcontractor who was under review for underpayment of wages on a public work project.

J. Staples continued by stating that overall we are over budget in total operating revenue. The customer billing is \$450,000 over budget, and MMF is over by \$228,000. As of the end of August total waste received was 96,379 tons, versus a projection of 90,558 tons for an increase of 5,821 tons at the end of August. This increase was mainly due to municipal solid waste. Water quality is over budget by \$173,000, mainly associated with the Army Waterline.

Under operating expenses, closure and post closure costs are over budget due to the increase in tonnage at MMF which increases the portion of the tip fee going into the expense account. There are also market adjustments being made into that account as we invest more in US Treasury and Federal Agencies instead of CD's. Market adjustments are purely accounting entries as long as we hold the investment to maturity.

B. McGrath asked if the tip fee that was discussed at the previous meeting was included, and if it does this affect our need to raise the tipping fees. J. Staples responded that the resolution approved at the last meeting will become effective January 1, so we are not seeing the increased revenue within these numbers. She further explained the increase in total tonnage being received at the landfill during this FY will have little impact on the overall need to raise the tip fee because we are currently only taking \$2.75 per ton to the closure/post closure reserve. Much more is needed to fully fund the reserve to DEC requirements.

J. Staples concluded by stating water purchases are over budget by \$17,000. Bad Debt expense increased based on the total percentage of accounts receivable. This should decrease in the month of September based on the USAC payment. We utilize an AR aging method to estimate bad debt instead of the direct write off. Grant expenses are over budget by an estimated \$142,000. Of the \$261,000 expense year to date, \$100,000 of that is SLC Property Development Corporation. In May the Board approved a grant/loan commitment for improvements to the former Newell Building in Ogdensburg. Overall we see a change in net position of -\$87,000 versus a budgeted loss of \$1.3 million.

Upon a motion by T. Hefferon, and seconded by M. Murray, Financials ending August 31, 2021, was unanimously approved.

A. Calligaris asked about unearned income. C. Farone responded that unearned income is primarily from Telecom in which service provider pay the Authority cash up front for 5 - 20 years' worth of services.

- a. Resolution No. 2021-10-113, authorizing the Executive Director to enter into an agreement with Bonadio & Co., LLP to provide audit services, as specified in the Request for Proposal, for the five years ending March 31, 2026.

J. Staples explained that every five years the Authority does an RFP for these services. On October 15th the Audit Committee met and is recommending the Bonadio Group for Board approval.

B. McGrath reiterated his statements made during the Audit Committee meeting. There were two bids, one from an entity that attempted to comply with MWBE requirements and this one that did not. It was not a unanimous vote and this was the recommendation. It is important for the full Board to know that we did have an option

to approve a new auditor that would have complied with the state's encouragement to employ MWBE through subcontracting.

F. Carter commented that he was not in favor of approving the contract because of the criteria just mentioned, as well as the cost being \$20,000 more. The other firm met the criteria of what the state wants to do for minority owned businesses, and would have given the Authority 9% toward our goal of 30% leaving us with only 21% to match the requirements. F. Carter further stated that it would be common sense to select the firm that was lower by \$20,000 and who met the important criteria. He went on to state that they work with New York State, Empire State, New York Bridge Authorities, New York State Regional Development Authority, Lower Manhattan Development Authority, and 30 other regional development boards. The other company that we have worked with does not and they get away with it. He stated this is why he voted in favor of a change. In looking at the things we are supposed to be doing under the rules and ethics, he felt the second firm reached the criteria. F. Carter stated another thing to keep in mind when discussing their hiring of subcontractors, this is a plus in another set of eyes with somebody different and a minority owned business. He expressed nothing bad toward the company we have been using, but did say sometimes change is needed. F. Carter expressed that this resolution was approved by the committee and doesn't need to come to the full Board, which he isn't happy with that and feels the full Board has the right to vote on these issues. C. Farone stated that this always comes to the full Board. F. Carter stated that he stands corrected, but these are his feelings and he will not be voting in favor of this resolution.

A. Calligaris stated this was discussed at the committee meeting and they voted in favor of our present accounting firm. He further stated that some of the things being brought up here were not part of the request and we cannot blame them for not complying. \$20,000 over a five year contract results in only \$4,000 per year. The other firm hasn't done the work for us and may have needed to increase their fee.

M. Doheny asked if there is a standardized form for our RFP's. C. Farone responded that we do have a standardized form, and regarding MWBE's it requests making the best effort. He continued by saying this is a small contract and with \$5,000 per year it is difficult sometimes with small contracts to get MWBE participation. This RFP was submitted to 26 MWBE firms, 47 firms total, and only two responded and neither of which was an MWBE.

D. Mastascusa asked of the two that responded, how many times had they responded to previous RFP's. C. Farone stated that the last RFP had four responses and this one only had two. He further stated that follow up calls were placed to the firms who had previously responded to ask why they did not this time. They responded that the timing of the audit, government experience, and staffing issues were all mentioned as well as the quick turnaround with a March 31st year-end and everything needs to be completed in June. He continued in stating the current auditor has been very successful in the last 15 years of meeting all these requirements.

E. Virkler stated he has heard of EFPR and that \$40,000 a year is a very reasonable amount. He further stated he has been on the other side of audits many times and from a staff perspective this type of change is certainly difficult. E. Virkler continued by saying he has worked with EFPR over the last two years in Lewis County and they have done a great job as they are responsive, knowledgeable, and helpful.

B. McGrath commented for clarification that the RFP was sent out requesting submissions make best efforts, as A. Calligaris had said it was not. It wasn't required, but it was included within the RFP. Another point B. McGrath made was the scoring that was prepared for the Audit Committee rendered the two RFP's at the top with one being 9.6 and the other 9.55, effectively resulting in a tie in the metrics. B. McGrath expressed his view in the event of a tie, that tie should be broken by honoring the firm that made an effort to include the priorities of the state, which is to do contracting with minority and women owned businesses. B. McGrath stated that it alone wouldn't have been good reason to select them but it was compelling to consider the scores were close, the bid was lower, and we had good information that it was a reputable firm. He stated that for him this was a mistake, it was a close vote and he doesn't feel it inappropriate for the full Board to revisit it.

D. Mastascusa agreed, and further stated that another tie breaker is between the staff and the current firm with the auditing networking relationship and there is a certain amount of comfort by not going through a transition even though it is not something that couldn't be overcome. B. McGrath stated that with auditors a little discomfort isn't bad, and if the approach is taken to stay with who you have in a tie breaker you never change which also means you'll never be working with minority owned businesses. This would result in never changing perspective or taking second looks at procedures.

A. MacKinnon stated that during the committee meeting he supported keeping the same firm for a couple reasons, the first being our primary business at the landfill. This is a unique business and our primary function, and most auditors are not familiar with that type of operation. The Bonadio Group has exhibited a clear familiarity with this type of operation where a new group may not. He further stated that he felt it was a good reason to stay with the current firm because we had no reason to change other than the present idea of them not meeting the women-owned business criteria. A. MacKinnon further commented that half the people who work for the Bonadio Group are women, even though it doesn't meet the requirement of the state mandate, but it does in spirit because the main idea is to encourage a wide variety of people to come out and be a part of this business experience. He concluded by stating he sees no reason to switch at this time.

Upon a motion by A. Calligaris, and seconded by A. MacKinnon Resolution No. 2021-10-113, Authorizing Executive Director to Enter into an Agreement for Audit Services, was approved with one vote in opposition.

9. Governance –

- b. Resolution No. 2021-10-114, authorizing the Chairman, Treasurer, Executive Director, Chief Financial Officer, and Comptroller to be named as authorized signatories on the Liner Investment bank account, and that all documents required as evidence of this authority be executed by the appropriate Authority Officers/personnel. It was further resolved that the Deputy Comptroller, Accountant I, and Accounting Associate be designated authorized representatives for the purpose of initiating electronic transfers of Authority funds, when authorized by the designated Authority Officers/personnel, and that all documents required as evidence of such authority be executed by Authority Officers/personnel.

F. Carter asked where Comerica Bank is located. C. Farone responded they have a presence in New York City, but they are not in Watertown. F. Carter further asked if

they have branches in Texas to which C. Farone responded yes. C. Farone further explained that they have capabilities which allow our investment advisor to easily transfer CD's into this account. Our primary bank in the area is Community Bank with roughly 16 accounts, and we also have accounts with Watertown Savings Bank and Carthage Savings and Loan.

Upon a motion by D. Mastascusa, and seconded by M. Murray, Resolution No. 2021-10-114, Authorizing Establishment of Comerica Bank Account, Liner Reserve, was unanimously approved.

10. 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 Gouverneur, Technical Services Agreement, NYS CDBG Grant, Total agreement amount of \$47,000, Dates are to be determined.
- II. Village of Massena, Technical Services Agreement, NYS AHC Grant, Total agreement amount \$35,000, 9/15/21 – TBD
- III. Department of Corrections - Gouverneur, Operation & Maintenance Agreement, Backflow Prevention Device Testing, Total agreement amount \$1,464.00, Dates are to be determined.
- IV. Town of Pamela, Operation & Maintenance Agreement, Water/Wastewater Operation and Maintenance, Total agreement amount \$237,936.00, 11/01/21 – 12/31/26.
- V. Town of Cape Vincent, GIS Services Agreement, GIS Hosting Agreement, Total agreement amount of \$4,350.00, 1/1/22 – 12/31/26.
- VI. Town of Hermon, GIS Services Agreement, GIS Hosting Agreement, Total agreement amount of \$4,350.00, 1/1/22 – 12/31/26.
- VII. Town of Watson, GIS Services Agreement, GIS Hosting Agreement, Total agreement amount of \$4,350.00, 1/1/22 – 12/31/26.
- VIII. Town of LeRay, SCADA Services Agreement, Carey Well Filtration System Integration, Total agreement amount of \$26,000.00, 1/1/22 – 12/31/22.
- IX. Village of Dexter, SCADA Services Agreement, Cemetery Rd Valve-Meter Vault Controls, Total agreement amount of \$20,000.00, 11/1/21 – 6/30/22.
- X. Town of Cape Vincent, Technical Services Agreement, PS Generator Replacement Project, Total agreement amount of \$12,000.00, 6/1/21 – 6/30/22.
- XI. Town of Louisville, Technical Services Agreement, Total agreement amount of \$12,000.00, 8/20/21 – 10/31/22.
- XII. Village of Clayton, Technical Services Agreement, Historic District Amendment 4, Total agreement amount of \$134,000.00, 6/27/21 – 2/1/22.

B. McGrath asked if we are allowed as a state Authority to enter into contracts with a municipality that does not have an EEO in place. He further stated that during the meeting he was forwarded a FOIL response that the Village does not have an EEO policy, and asked if it is part of our requirement as a state entity that for us to contract with the municipality they need to have one. J. Granzow stated that she is uncertain of the specific answer, but will look into it.

XIII. Village of Rutland, Technical Services Agreement, Highway Department Building PER, Total agreement amount of \$6,500.00, 1/1/21 – 3/1/22.

XIV. Village of Heuvelton, Technical Services Agreement, Water Improvement Project, Total agreement amount of \$70,000.00, 8/1/21 – 6/30/22.

F. Carter asked if this is for the approval of a water district. C. Tuttle stated this is for a water system improvement project that has been ongoing for a few years and this is the final piece. They are replacing a water main and a backup well with some improvements at that location as well.

F. Carter asked how the wastewater connection project is going. C. Tuttle replied that we have received correspondence from the funding agencies that approve moving forward and the project we will be going out to bid soon.

F. Carter asked if they will be moving the water line with that Ogdensburg project. C. Tuttle responded no water line and no new sewer line is being formed, just a transition made.

Upon a motion by M. Murray, and seconded by D. Mastascusa, Board Contract Summary Table items numbered I through XIV for the month of October, was unanimously approved.

XV. Lewis County, Technical Services Agreement, Broadband Access Project in Lyonsdale, Harrisville & Port Leyden, Total Agreement \$45,000, 10/22 – 10/22

C. Farone commented that the broadband contract was changed to \$45,000.

XVI. Lewis County, Technical Services Agreement, NBRC LDD, Total Agreement \$6,000, 10/21 – 12/23

XVII. Lewis County, GIS Services Agreement, GIS Hosting Services, Total Agreement \$8,200, 1/1/22 – 12/31/26.

D. Mastascusa asked what exactly we are doing with the broadband piece. D. Wolf responded that we are going to help them develop an RFP, manage the needed service providers, manage the project, and finally we will help them test and make sure the services are correct. C. Tuttle added we will also be helping with the grant administration.

B. McGrath asked if these resolutions were included within the Read Ahead Packet, or if we have changed this. C. Farone stated there are no resolutions, only the chart.

Upon a motion by D. Mastascusa, and seconded by A. MacKinnon, Board Contract Summary Table items numbered XV, XVI, XVII for the month of October, were approved.

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

11. Engineering –

- a. Resolution No. 2021-10-115, authorizing an increase in the revenue and expense account of the Engineering Division to continue pass-through expenditures and amends the FY 2022 Engineering Budget.

Upon a motion by A. Calligaris, and seconded by D. Mastascusa, Resolution No. 2021-10-115, FY 2022 Operating Budget Amendment, Engineering Division, Pass-Through Expenditures, was unanimously approved.

- b. Resolution No. 2021-10-116, approving the Management Services Agreement, by and between the Authority and the City of Ogdensburg. Furthermore, the Executive Director is authorized and directed to execute said Agreement.

Upon a motion by F. Carter, and seconded by A. Calligaris, Resolution No. 2021-10-116, Management Services Agreement, City of Ogdensburg, Water and Wastewater Facilities, was unanimously approved.

- c. Resolution No. 2021-10-117, approving the Technical Services Agreement, by and between the Authority and ANCA. Furthermore, the Executive Director is authorized and directed to execute said Agreement.

Upon a motion by A. MacKinnon, and seconded by M. Murray, Resolution No. 2021-10-117, Technical Services Agreement, Adirondack North Country Association, Grant Administration Assistance, was unanimously approved.

- d. Resolution No. 2021-10-118, approving the Technical Services Agreement, by and between the Authority and Essex County. Furthermore, the Executive Director is authorized and directed to execute said Agreement.

Upon a motion by D. Mastascusa, and seconded by M. Murray, Resolution No. 2021-10-118, Technical Services Agreement, Essex County, GIS Services for County Road Map, was unanimously approved.

- e. Resolution No. 2021-10-119, approving the Technical Services Agreement for NBRC Grant Administration by and between the Authority and the Village of Tupper Lake. Furthermore, the Executive Director is authorized and directed to execute said Agreement.

Upon a motion by A. Calligaris, and seconded by D. Mastascusa, Resolution No. 2021-10-119, Technical Services Agreement, Village of Tupper Lake, 2021 Northern Border Regional Commission, Local Development District Grant Administration, was unanimously approved.

- f. Resolution No. 2021-10-120, approving the Technical Services Agreement, by and between the Authority and the Village of Tupper Lake. Furthermore, the Executive Director is authorized and directed to execute said Agreement.

Upon a motion by M. Murray, and seconded by D. Mastascusa, Resolution No. 2021-10-120, Technical Services Agreement, Village of Tupper Lake, Water Supply Improvements Project, was unanimously approved.

12. Materials Management

- a. Resolution No. 2021-10-121, authorizing the Executive Director to implement said rules, applications, permits, and fees as incorporated into this resolution, effective October 28, 2021.

Upon a motion by M. Murray, and seconded by D. Mastascusa, Resolution No. 2021-10-121, Operating Permit Rules and Requirements, Materials Management Facility, Revision, was unanimously approved.

13. Telecommunications -

- a. C. Farone stated M. Doheny had requested information regarding how we are positioning ourselves within the region for broadband expansion. A Power Point will be presented by D. Wolf on the broadband studies.

Topics covered within the presentation include Completed Work, Grant Opportunities, Grant Coverage, and Initiatives Underway.

All three counties have been completed with both inventory and surveys. Authority staff have been asked to participate on both Lewis County's and St. Lawrence County's committees. GIS Maps have been created showing which roads have service versus those that do not. Through the GIS mapping we were able to provide the counties with the addresses of homes who do not have service as information for their grant applications. Now that areas have been determined and grants are to be applied for, service providers will need to be selected.

B. McGrath asked about the advancing 5G builds, and if that was to retrofit existing towers or to build a new tower, and if so what would that coverage be. D. Wolf explained that 5G covers 1.5 miles from the tower and 4G covers 4.5 miles. This will result in the coverage areas shrinking, however 4G and 5G will run simultaneously so that coverage will not be lost. To build up to 5G new towers will not need to be built since the chips can be put on existing towers, poles, or other structures. There will be some new towers, but they try to utilize other structures.

B. McGrath stated that in terms of the actual data that can be pushed through 5G versus 4G, 4G is the equivalent to 500 broadband which is stunning. He further asked if 5G will eventually replace fiber. D. Wolf responded that it can't replace the fiber because it is needed to light up the antennas. He further explained that many may keep their fiber but this will provide competition and people have indicated they very much want a choice.

B. McGrath asked if 5G is expected to disrupt the economics of this industry. D. Wolf explained that given the nature of the North Country it will be a long time before there is 5G everywhere.

A. MacKinnon asked how Fios is related to 5G. D. Wolf explained that is a completely different network and while the fiber has more bandwidth than wireless, it will depend on the equipment put on each end. Fiber is always going to be that connection, but with wireless the more people using it the slower the speed. B. McGrath stated that can happen with Fios as well depending how many people are on it within the building and the speed will be reflective of your router that converts the fiber to your wireless. A. MacKinnon stated he is in one of the only places with Fios north of Syracuse, and while this was covered by grants he cannot see how this could be economical with no potential for more customers.

A. Calligaris commented that this is why in most remote locations you will see satellite used instead of fiber. D. Wolf confirmed satellite technology is advancing but the current satellites are 22,300 miles in the air which cause significant delays. There are several new companies putting many satellites only 200 miles in the air meaning they offer much better coverage. The pricing will be interesting because the current cost for this is \$150 each month.

A. Mackinnon commented that he used to have satellite and if you live in an area with many trees the satellite does not work. B. McGrath commented that rain will affect this as well. D. Wolf further commented that the coverage is also intermittent, whereas you'll have coverage for two hours but then it will be gone for 20 minutes because the low-earth orbit satellites are always moving. This will improve as the number of satellites increases.

- b. Resolution No. 2021-10-127, authorizes an amendment to the FYE 2022 Telecommunications Capital in the amount of \$120,000 to the DWDM Upgrade.

Upon a motion by M. Murray, and seconded by D. Mastascusa Resolution No. 2021-10-127, FY 2022 Capital Budget, Telecommunications Division Amendment, was unanimously approved.

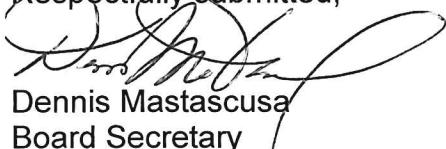
14. Next Board Meeting Date – December 16, 2021 at the State Office Building

15. FY 2023 Strategic Planning following the Board Meeting

A. MacKinnon asked about the acoustics within this room and the spacing because he couldn't always hear everything, and is this spacing a requirement. C. Farone responded the spacing was due to COVID.

16. Upon a motion by A. Calligaris, and seconded by M. Murray, the meeting was adjourned at 11:44 AM.

Respectfully submitted,


Dennis Mastascusa
Board Secretary