



MINUTES
BOARD OF DIRECTORS MEETING
Thursday, January 28, 2021 – 9:30 AM
Zoom Conference Call/Teleconference

The Development Authority of the North Country Board of Directors met in regular session via Zoom Conference Call/Teleconference on Thursday, January 28, 2021 at 9:30 am.

Members Present

Voting

Frederick Carter, Chairman
Margaret Murray
Thomas Hefferon
Alfred Calligaris
John Johnson Jr.
Alex MacKinnon
Gary Turck

Non-Voting

Mary Doheny
James Hollenbeck
Stephen Hunt
Brian McGrath

Members Absent

Dennis Mastascusa

Staff Present:

Carl Farone, Executive Director
Dawn Caccavo, Comptroller
Michelle Capone, Director, Regional Development Division
Laurie Marr, Director of Communications and Public Affairs
Brian Nutting, Manager, Water Quality Division
Patricia Pastella, Manager, Materials Management Division
Regina Rybka-Lagattuta, Human Resources Director
Jennifer Staples, Chief Financial Officer
Carrie Tuttle, Chief Operating Officer
David Wolf, Manager, Telecommunications Division
Angela Marra, Executive Assistant

Guests:

Jennifer Granzow, Counsel, Wladis Law Firm

This meeting was conducted via teleconference or conference call, with no members of the Board attending in person. The meeting was also live streamed from the State Office Building. The meeting itself, due to the Corona Virus emergency restrictions, had no public access, but was accessible through the Authority website through live streaming. This meeting is in compliance with Governor Cuomo's Executive Order.

During this meeting, because it was done telephonically, it was asked that when speaking to please state your name so you may be identified appropriately in the minutes. Within the Board Packet, whether in front of you or on the screen, the pages have been numbered. As the resolutions are reviewed, the page number will be stated as well.

1. Chairman Carter called the meeting to order at 9:31 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 T. Hefferon, and seconded by A. Calligaris, the minutes from the October 22, 2020 Board Meeting, were unanimously approved.
5. Chairman's Report
 - a. A Finance and Budget Committee Meeting is scheduled for Friday, February 5th at 10:00 AM via Zoom to review the FY 2022 Budget. All Board Members are welcome to attend.
 - b. As we go through the resolutions today, please be sure to identify yourself.
6. Executive Director's Report – C. Farone
 - a. Telecom – 3 County Broadband Survey -

C. Farone gave a brief update on each of the counties' surveys.

Lewis County was started first. ECC has collected all the data from the survey portion. The goal was a 5% response rate, 9.4% was actually received. The surveys will be open for one more week in Lewis County. Authority GIS staff has been working on this, and the information will provide a very clear picture of areas that are underserved or unserved in our communities. The Authority will then determine if grant money is available to begin looking into what needs to be done to build out these areas.

In Jefferson County the fiber inventory survey is underway, and the survey of residents started on January 15th. The goal is 5%, or 2,100 people, but the more surveys completed the better.

St. Lawrence County has just launched with a project kickoff meeting last week. The actual site should be up for these surveys by February 19th.

- b. DOT Telecom Tax Update -

In September 2020, the Authority drafted a letter to DOT to reiterate the fact that the Department of Transportation (DOT) Fee on fiber optic cable will significantly negatively impact the Authority and our ability to serve North Country residents, many of whom desperately lack broadband services. I also asked if they had any questions of the Authority to assist in making a determination.

On December 3, 2020, the Authority drafted a letter to NYS Division of Budget to reiterate the fact that the DOT Fee will significantly negatively impact the Authority and our ability to serve North Country residents. It is our understanding that the NYS Division of Budget has taken the lead in reviewing this issue.

We will continue to advocate on the Authority's behalf based on the following:

- The Authority is a public entity and should be exempt from this.
- Broadband is a significant issue in Jefferson, Lewis, and St. Lawrence Counties. As per Governor Cuomo's 2020 State of the State Address, he stated there is a need, specifically stating that without broadband people are not only disconnected but also disenfranchised. Broadband must be available to everyone, everywhere, in New York and we will make sure it is.

It is the hope of the Authority that this will get the Governor's attention and we will obtain some relief regarding the telecom fee. We originally estimated this fee to be \$1.6 million, but when we spoke with DOT they said it was not that much. We used our GIS information to calculate, and we are concerned their information is not accurate.

B. McGrath asked when the broadband survey results will be compiled, because this may be a good advocacy point for the second reason mentioned.

C. Farone responded this is a phased approach. The three counties did not have the same start dates, but we are looking at a summer timeframe to have all three counties wrapped up. Ryan Piche in Lewis County would like to begin making decisions as soon as we can get their information compiled. D. Wolf and L. Marr will give a presentation on the results and what it looks like in GIS where you can see the households, the fiber and coax locations.

F. Carter asked if the Authority has access to the DOT's report that was sent to the DOB. C. Farone replied we do not. This move from DOT to DOB was anticipated as it is a budgetary appropriation item, but we do not have any information regarding the correspondence between the two organizations.

c. City of Watertown -

1. Leachate Agreement -

The City of Watertown provided the Authority with a 20 year term draft leachate agreement, which would increase our cost from 1.6 cents to approximately 3 cents per gallon. The original contract with the City of Watertown provided for ash and grit disposal, however the city no longer produces ash and grit and wanted to renegotiate the contract. Authority staff have been renegotiating with them, there is a draft, and we met with our legal counsel Monday for review. There are a few items we need to resolve, and we are hopeful that we will have a recommendation for the Board by the February or March Board Meeting for the Leachate Agreement with the city.

2. Outside User Allocation -

Pamelia has requested an additional allocation of water and sewer. The City of Watertown has expressed they will deny additional allocation to the Authority, even though the Authority has one million gallons allocated which is being paid for, and has the capacity. The city's position is this would be incentivizing people to move outside the city. To date Pamelia has not provided the Authority with an application, but we are anticipating receiving their application within the next

couple weeks. Once received, the application will be reviewed based on Authority Standard Operating Procedures, and if found acceptable it will then move to the City of Watertown for approval. From a contractual perspective it may be difficult for the City to deny this request. If the city does not approve, we will have to make a decision at the Board level regarding what direction the Authority will go.

J. Johnson stated his sense is it is in the rate payers' best interest for the Authority to provide water to Pamela because the city has a problem with water that remains in the waterlines too long. C. Farone agreed, referring to the disinfection byproducts.

J. Johnson further stated the city is spilling water into the streets in the middle of winter in order to keep the water flowing in order to meet the Federal EPA standards. The city water department says the problem is that Watertown's demand for water has dropped dramatically because of energy efficient appliances. This would be a great solution to a city problem, and he is opposed to the city wasting a very valuable natural resource by disinfecting it and dumping it into the streets only to see it to flow back into the Black River.

C. Farone agreed, stating that the Authority provides the City of Watertown with revenue for water and sewer services and without that revenue the city taxpayer / ratepayer, will have a substantial increase. Pamela could connect to the regional waterline and once that connection is made it could change everything because the Army Waterline would then have a connection to the Regional Waterline meaning the City of Watertown's resource would not be as valuable.

d. COVID Update -

The Authority has been able to provide essential services without any interruption. There have been a couple of staff members who have tested positive, but because of the protocols we have in place it has not spread throughout the workplace. 30% of Authority workforce continue to work from home. Managers continue to monitor staff to ensure they are productive.

e. NYWEA Public Outreach Award -

Carrie Tuttle received a New York Water Environmental Association Public Outreach Award. This award is given to a member who has made an outstanding contribution to public education. Congratulations to Carrie.

f. City of Watertown Single Stream Recycling – Test Run

The City of Watertown brought a test load of single stream recyclables to the Harrisville Recycling Transfer Station using their own trucks. P. Pastella reported the test run went well and they will be testing another load tomorrow. The city is evaluating their options as they would like to go single stream but need to review the cost benefit.

7. Financials through November 30, 2020 – CFO

J. staples began with the statement of net position. Within the assets and liabilities there is a decrease from the end of FY 20 until the end of November. This roughly \$4 million decrease is due to the \$4.8 million dollar closure project that continues at MMF.

Under assets, the cash and cash equivalents increased by about \$4.5 million, while investments under assets decreased by \$4 million due to moving money from MMF Capital Reserves to cash to pay closure costs. Still under assets, the funds in trust, which holds a project fund for the bonding done for the southern expansion, decreased as bond funds were moved to cash to pay for southern expansion costs. Cash continues to be drawn down as payments occur for each of these projects. In December cash was at about \$6 million as several large invoices were paid for these projects. In looking at liabilities, landfill closure and post-closure decreased from \$18.4 million to \$15.6 million as that liability is reduced for the closure of four projects that are underway.

Looking at the change in net position for all units, you can see that revenue is roughly \$1 million off from budget due mainly to the waste diversion revenue and the grant revenue. The waste diversion revenue will continue to be under budget as Lewis and St. Lawrence Counties are being invoiced directly by Oneida-Herkimer and Recycle America for their recyclables. The operating expense for the Recycling Transfer Station is under budget due to the expenses being incurred by the counties. Since the Authority is not paying for those recyclables, invoicing and billing for the counties offset each other. The grant revenue is off by a total of \$385,000, of which \$262,000 is in the Community Development Loan Fund and this is due to a lack of loans closing meaning the loan volume is down. In reviewing expenses, operating and maintenance is below budget by \$527,000, due to MMF fuels not being used as much as was anticipated in the budget, and because fuel costs are down. Waste diversion is under budget by \$427,000 mainly because of the county recycling incentive, which we will see dissipate in December as St. Lawrence County has turned in an invoice for equipment they have purchased. Interest income is down by close to \$500,000 due to the poor current CD interest rates.

Upon a motion by T. Hefferon, and seconded by A. Calligaris, the financials ending November 30, 2020, were unanimously approved.

8. Governance –

a. Resolution No. 2021-01-01, authorizes an increase in Consulting Expense (GL 5970 in the Authority's Administrative Division from \$3,500 to \$76,000. The \$72,427.09 in expenditures charged to capital project 10-004 (Administrative Office Site Evaluation / Acquisition) will be reclassified as a Consulting Expense (GL 5970).

B. McGrath asked C. Farone to elaborate on what the \$72,000 has been spent on, and namely who it has been paid to. C. Farone responded that GYMO is the local architectural firm who has been working on this for us since 2017. They have looked at numerous sites and provided evaluation, as well as provided numerous renditions and evaluations.

B. McGrath asked if any of this work will be usable going forward, or have these options been abandoned. C. Farone responded that it is useable, but much of this was prior to him becoming the executive director. A number of buildings have been reviewed with one site being looked at very favorably, but once we ran all the numbers the price tag was going to be about \$6 million. At this point in time the Relocation

Committee, based upon C. Farone's recommendation, thought that was too much. GYMO explained that construction costs are currently 25% to 30% inflated because of COVID. If it is decided later to revisit some of these buildings again, we will have some of the legwork done meaning there may be a cost benefit to us at that time. C. Farone also stated that due to COVID and many people continuing to work from home there may be a tremendous amount of office space available in the area in the event the Authority did decide to move out of the State Office Building. We have already looked at the Marcy Building because they have a 14,000 square foot vacant floor.

B. McGrath stated for clarification that this resolution is just allocating how this money that has already been spent is being accounted for, it is not authorizing another pool of money to spend on studies. C. Farone agreed.

Upon a motion by A. Calligaris, and seconded by T. Hefferon, Resolution No. 2021-01-01, Authorizing Admin Office Site Evaluation / Acquisition, Administrative Capital Budget, Expense Site Evaluation Expenditures, was unanimously approved.

T. Hefferon stated that the knowledge we gained from these studies will be useful going forward. This will give C. Farone the opportunity to take a look at the organization post-COVID. The knowledge has been excellent for the Board Members and C. Farone and his staff to figure out what is needed.

b. Resolution No. 2021-01-02, approves the amended Fleet Management Policy.

C. Farone explained the changes made to the policy. Employee requirements for reporting certain traffic violations have changed in that if an employee is on Authority business in their personal vehicle and receive a moving violation, the Authority is to be notified. Attachments one and two have been revamped, and attachment three has been added. Attachment three is to be used when an employee receives an Authority vehicle. This form is to be used to inspect and document any issues to be compared to when they turn the vehicle back in to verify accountability.

Upon a motion by F. Carter, and seconded by A. MacKinnon, Resolution No. 2021-01-02, Amending Fleet Management Policy, was unanimously approved.

c. Resolution No. 2021-01-03, reaffirms the submittal of the five year budget and financial plan for FYE 2022 in PARIS, and reaffirms posting said plan to the Authority's website.

C. Farone explained this is not the Authority budget, but an annual requirement by New York State. This is a plan that takes all known, anticipated, and projected finances, incorporates the current five year plan, and includes all outstanding debt service obligations. This report shows the actual fiscal year 2020, and the current year budget 2021. The state then requests the Authority project from 2022 through 2025. This is not a document where the Development Authority Board of Directors is adopting a 2022 budget, but a required report to be submitted within the Public Authority Reporting Information System (PARIS). C. Farone spoke with F. Carter because the submission was due by December 30th and there was no Board meeting held in December. F. Carter agreed to submit, and have ratified by the Board in January. It was noted within the report that the submission was not approved by the Board, but the Executive Director and the Board Chairman approved it for filing.

Upon a motion by M. Murray, and seconded by A. MacKinnon, Resolution No. 2021-01-03, Reaffirming the Public Authorities Reporting Information System (PARIS), Five Year Budget and Financial Plan for FYE 2022, Annual Submission, was unanimously approved.

9. Engineering –

- a. Resolution No. 2021-01-04, authorizes the Executive Director to enter into GIS hosting agreements in accordance with the terms of the contracts attached to the resolution for the Town of Adams, Town of Ellisburg, Town of Norfolk, Town of Richland, Town of Rodman, Town of Sandy Creek, and Town of Stockholm.

Upon a motion by T. Hefferon, and seconded by G. Turck, Resolution No. 2021-01-04, Authorizing GIS Hosting Agreements, Town of Adams, Town of Ellisburg, Town of Norfolk, Town of Richland, Town of Rodman, Town of Sandy Creek, Town of Stockholm, was unanimously approved.

- b. Resolution No. 2021-01-05, approves the SCADA Services Agreement Amendment No. 2 by and between the Authority and the Village of Potsdam, and furthermore authorizes and directs the Executive Director to execute said agreement amendment.

Upon a motion by G. Turck, and seconded by A. MacKinnon, Resolution No. 2021-01-05, Approving the SCADA Services Agreement Amendment No. 2 between the Authority and the Village of Potsdam, was unanimously approved.

- d. Resolution No. 2021-01-06, approves the Technical Services Agreement by and between the Authority and the Village of Cape Vincent, and furthermore authorizes and directs the Executive Director to execute said agreement.

Upon a motion by M. Murray, and seconded by A. MacKinnon, Resolution No. 2021-01-06, Approving the Technical Services Agreement, Village of Cape Vincent, Asset Management Plan, was unanimously approved.

- e. Resolution No. 2021-01-07, approves the Technical Services Agreement Amendment No. 2 by and between the Authority and the Town of DeKalb, and furthermore authorizes and directs the Executive Director to execute said agreement amendment.

Upon a motion by A. MacKinnon, and seconded by M. Murray, Resolution No. 2021-01-07, Approving Technical Services Agreement Amendment 2, Disinfection System Improvement Project, Town of DeKalb, was unanimously approved.

- f. Resolution No. 2021-01-08, approves the Technical Services Agreement Amendment No. 2 by and between the Authority and the Village of Heuvelton, and furthermore authorizes and directs the Executive Director to execute said agreement.

Upon a motion by F. Carter, and seconded by A. MacKinnon, Resolution No. 2021-01-08, Approving Technical Services Agreement Amendment 2, Village of Heuvelton, Water System Improvement Project, was unanimously approved.

- g. Resolution No. 2021-01-09, approves Technical Services Agreement, by and between the Authority and the Village of Malone, and furthermore authorizes and directs the Executive Director to execute said Agreement Amendment.

Upon a motion by A. MacKinnon, and seconded by M. Murray, Resolution No. 2021-01-09, Approving the Technical Services Agreement, Village of Malone, Hydrant Flushing Plan, was unanimously approved.

- h. Resolution No. 2021-01-10, approves Technical Services Agreement, by and between the Authority and the Village of Malone, and furthermore authorizes and directs the Executive Director to execute said Agreement Amendment.

Upon a motion by A. MacKinnon, and seconded by M. Murray, Resolution No. 2021-01-10, Approving Technical Services Agreement, Village of Malone, Valve Exercising Procedure, was unanimously approved.

- i. Resolution No. 2021-01-11, Authorizes the Executive Director to enter into technical services agreements with our municipal partners to assist them with the preparation of their NYS Public Employer Health Emergency Plans.

J. Hollenbeck asked which public entities have contracted with the Authority to do their emergency plan. C. Tuttle responded the Towns of Adams, Morristown, and Richland. She explained they have reached out to the over 70 municipalities the Authority provides services to, to ensure the municipalities were aware of this new requirement and ask if they needed any help. C. Tuttle also said there may be a few more municipalities to sign up as they have been waiting approval or have been reviewing their in-house resources.

B. McGrath asked how C. Tuttle set the price of these services, and if this is just creating a report. C. Tuttle responded that yes it is creating a report within a template document. She further explained that as they do with all contracts, the staff time needed to complete the plans are calculated into the price of services. In larger communities where they have fire employees, developing these plans becomes more involved justifying the price range.

Upon a motion by T. Hefferon, and seconded by A. MacKinnon, Resolution No. 2021-01-11, Approving Technical Services Agreements for NYS Public Employer Health Emergency Plans, was unanimously approved.

- j. Resolution No. 2021-01-12 – approves the Technical Services Agreement by and between the Authority and the Town of Pitcairn, and further authorizes and directs the Executive Director to execute said agreement.

C. Tuttle stated this resolution is related to existing work being done in Diana and Harrisville to upgrade their water system. There are some areas of Pitcairn that are on wells that are contaminated by salt. This agreement will allow the town to hire an engineering firm to evaluate if the Harrisville system could be extended to serve these contaminated properties.

Upon a motion by M. Murray, and seconded by G. Turck, Resolution No. 2021-01-12, Approving Technical Services Agreement, Water System Study, Town of Pitcairn, was unanimously approved.

- k. Resolution No. 2021-01-13 – approves the Technical Services Agreement by and between the Authority and the Town of Rutland, and further authorizes and directs the Executive Director to execute said agreement.

Upon a motion by A. MacKinnon, and seconded by A. Calligaris, Resolution No. 2021-01-13, Approving Technical Services Agreement, Town of Rutland, Asset Management Plan, was unanimously approved.

- l. Resolution No. 2021-01-14 – approves the Technical Services Agreement by and between the Authority and the Town of Tupper Lake, and further authorizes and directs the Executive Director to execute said agreement.

Upon a motion by A. MacKinnon, and seconded by A. Calligaris, Resolution No. 2021-01-14, Approving Technical Services Agreement, Town of Tupper Lake, Golf Club and Cross Country Skiing Center, Improvement Project, was unanimously approved.

- m. Resolution No. 2021-01-15 – approves the Technical Services Agreement Amendment No. 4, by and between the Authority and the Town of Potsdam, and further authorizes and directs the Executive Director to execute said agreement.

Upon a motion by M. Murray, and seconded by A. Calligaris, Resolution No. 2021-01-15, Approving Technical Services Agreement Amendment, Village of Potsdam, Wastewater Treatment Plant Improvement Project, was unanimously approved.

- n. Resolution No. 2021-01-16 –authorizes and directs the Executive Director to enter into a Technical Services Agreement for Phase 5 Redevelopment Planning, for a no-to-exceed amount of \$15,000.00 with the Village of Lyons Falls.

A. Calligaris asked when this project is going to be finished. C. Tuttle replied that the demolition has been completed and there is now redevelopment happening on the site. They are looking to get additional business on site and need water and sewer lines from the village. There are also storm water issues on the site that have been documented in a Brownfield Study that Regional Development assisted with. This is work for future planning for economic development of the property.

Upon a motion by T. Hefferon, and seconded by A. Calligaris, Resolution No. 2021-01-16, Approving Technical Services Agreement, Village Lyons Falls, Phase 5 – Engineering and Redevelopment Planning of the Former Lyons Falls Pulp and Paper Mill, was unanimously approved.

- o. Resolution No. 2021-01-17 – approves the Technical Services Agreement by and between the Authority and the Village of Lyons Falls, and further authorizes and directs the Executive Director to execute said agreement.

C. Tuttle commented that the funding for this may have come from grant money from DASNY through their State and Municipal Facilities Program.

J. Johnson commented that DASNY does not make grants, they only administer them.

Upon a motion by F. Carter, and seconded by M. Murray, Resolution No. 2021-01-17, Approving Technical Services Agreement, Village of Lyons Falls, Riverside Park State and Municipal Facilities Program Grant Administration, was unanimously approved.

10. Project Development –

Loan Report –

M. Capone reported that Kelsey Creek, one of the loans that has been in the housing portfolio for over 30 years, has been recently paid in full when it was sold to a local developer.

All other loans are paid as agreed.

M. Capone reported that the Project Development Committee met on January 29th to review the following resolutions. At that meeting she reviewed a plan to provide housing grant program delivery and administration to municipalities in our region. This is not new business, but there is the opportunity for this assistance to be provided to more municipalities. The plan presented outlines an implementation strategy to address municipal affordable housing needs utilizing state grants. From that discussion with the committee it was agreed the Authority would submit a statement of interest to St. Lawrence County to provide program delivery and grant administration for their Housing and Community Development Programs. It is the Authority's intention with this submission to support existing efforts, not replace any existing resources that are available within the community.

A. MacKinnon stated it is very important for all to understand this is a plan that has been submitted, it is not actual and it could change. It is a work in progress, but it is a good start to have reasonable confidence that the Authority is getting into something that will be successful and viewed positively by their working with us. This is why the committee was willing to look at these resolutions favorably.

- a. Resolution No. 2021-01-18, modifies the rider to the Regulatory Agreement with 51-53 Market Street, L.P. to maintain 3 units at 60% of the area median income and make 3 units available at market rate effective January 1, 2021 to address changes in the housing market conditions, and authorizes the Executive Director or Chief Financial Officer to execute all necessary documents.

M. Capone explained that the next four resolutions are for the same project. 51-53 and 55-57 Market Street are adjacent buildings in downtown Potsdam that were devastated by fire in the 1990's. The Authority worked with the village to rehabilitate these properties, and the North Country Housing Council was the managing partner on this project. The first regulatory agreement for 51-53 Market Street expired over a year ago, and the Housing Council has identified buyers, Scott and Lynzie Schulte.

M. Capone stated this resolution would modify the extended Regulatory Agreement. The first 15 year regulatory agreement was tied to the investors, the next 15 years is an IRS requirement. The additional 15 year rider states they will maintain some of the units at the affordability rate. This resolution, similar to the one for Brighton in Watertown and Carthage Apartments in Carthage, would modify the Regulatory Agreement to allow that three units become market rate and three units become

affordable at 60% of the area median income. The village has 100 affordable units coming online later this year at the Old Snell building project, so removing these three units will not adversely affect the amount of affordable units within the village.

Upon a motion by T. Hefferon, and seconded by A. MacKinnon, Resolution No. 2021-01-18, Authorizing Community Development Loan Fund, 51-53 Market Street, L.P., Modification to Rider to Regulatory Agreement, was unanimously approved.

- b. Resolution No. 2021-01-19, modifies the Rider to the Regulatory Agreement with 55-57 Market Street, L.P. to maintain 4 units at 60% of the area median income and make 3 units available at market rate effective January 1, 2021 to address changes in the housing market conditions, and authorizes the Executive Director or Chief Financial Officer to execute all necessary documents.

Upon a motion by M. Murray, and seconded by A. MacKinnon, Resolution No. 2021-01-19, Authorizing Community Development Loan Fund, 55-57 Market Street, L.P., Modification to Rider to Regulatory Agreement, was unanimously approved.

- c. Resolution No. 2021-01-20, approves the assumption of the loan and regulatory agreement of 51-53 Market Street, L.P. by Scott and Lynzie Schulte, or their new company to be formed, at the terms and conditions attached to the resolution, and authorizes the Executive Director or Chief Financial Officer to execute all necessary documents.

Upon a motion by A. MacKinnon, and seconded by A. Calligaris, Resolution No. 2021-01-20, Authorizing Community Development Loan Fund, 51-53 Market Street, L.P., Assumption of Loan and Regulatory Agreement, was unanimously approved.

- d. Resolution No. 2021-01-21, approves the assumption of the regulatory agreement of 55-57 Market Street, L.P. by Scott and Lynzie Schulte, or their new company to be formed, at the terms and conditions attached to the resolution, and authorizes the Executive Director or Chief Financial Officer to execute all necessary documents.

Upon a motion by G. Turck, and seconded by M. Murray, Resolution No. 2021-01-21, Authorizing Community Development Loan Fund, 55-57 Market Street, L.P., Assumption of Regulatory Agreement, was unanimously approved.

- e. Resolution No. 2021-01-22, approves the loan modification for Lewis County Development Corporation for an additional twelve months beginning April 1, 2021, and ending March 1, 2022, and authorizes the Director of Regional Development to execute all necessary documents.

Upon a motion by F. Carter, and seconded by M. Murray, Resolution No. 2021-01-22, Authorizing Community Development Loan Fund, Lewis County Development Corporation, Loan Modification, was unanimously approved.

- f. Resolution No. 2021-01-23, agreeing to interest only payments for 351 East Orvis LP beginning with the January 2021 payment and ending with the August 2021 payment, and authorizes the Director of Regional Development to execute all necessary documents.

M. Capone explained that the owner is still trying to recover from rental issues through COVID. The Governor's moratorium on evictions has been extended, meaning tenants have to leave of their own will and cannot be evicted. This location has had turnover and now needs to make improvements to the property.

Upon a motion by F. Carter, and seconded by T. Hefferon, Resolution No. 2021-01-23, Authorizing Loan Modification 351 East Orvis L.P., was unanimously approved.

B. McGrath offered for clarification purposes that this isn't just an Executive Order on evictions and foreclosures, it is actually new legislation that moves the date out statutorily to May 1st and there are various procedures for people to get additional COVID relief. This is no longer just an Executive Order, but actual legislation that has been signed into law.

- g. Resolution No. 2021-01-24, approves three months of interest only payments for Trailhead Resort LLC beginning with the December 2020 payment and ending with the February 2021 payment, and authorizes the Director of Regional Development to execute all necessary documents.

Upon a motion by F. Carter, and seconded by M. Murray, Resolution No. 2021-01-24, Authorizing Regional Tourism Transformational Community Revolving Loan Fund, Trailhead Resort, LLC, Loan Modification, was unanimously approved.

- h. Resolution No. 2021-01-25, authorizes the Executive Director or Chief Financial Officer to enter into a Technical Services Agreement with the Town of Gouverneur to complete one housing grant application to New York State.

Upon a motion by A. Calligaris, and seconded by M. Murray, Resolution No. 2021-01-25, Authorizing Technical Services Agreement, Town of Gouverneur, was unanimously approved.

- i. Resolution No. 2021-01-26, authorizes the Executive Director or Chief Financial Officer to enter into a Technical Services Agreement with the Village of Massena to complete one housing grant application to New York State.

Upon a motion by F. Carter, and seconded by A. MacKinnon, Resolution No. 2021-01-26, Authorizing Technical Services Agreement, Village of Massena, was unanimously approved.

- j. Resolution No. 2021-01-27, delegating authority to modify loan repayments on all Authority housing and business loan programs to the Project Development Committee through June 30, 2021, and authorizing the Director of Regional Development to execute all documentation necessary to modify such loans.

Upon a motion by T. Hefferon, and seconded by A. MacKinnon, Resolution No. 2021-01-27, Authorizing Temporary Delegated Authority, Loan Programs, COVID-19, Extension, was unanimously approved.

A. Calligaris asked if the Board would get a chance to subsequently approve these actions. M. Capone responded that this resolution delegates the authority to the Project Development Committee to approve actions, and she will be reporting these actions to the Board.

B. McGrath commented that from what he can see, M. Capone has done a good job of applying the authority previously delegated authority to keep as many loans performing as possible in a tough time. He further stated this extension seems like a no-brainer, and congratulated M. Capone for working hard to keep everybody moving along in a difficult environment.

Water Quality –

- a. Resolution No. 2021-01-28, authorizes and directs the Executive Director to enter into an Operations/Maintenance and Administrative Service Agreement with the Route 3 Sewer Facilities Board of Commissioners, and further authorizes the Executive Director to execute the required and necessary agreements.

Upon a motion by F. Carter, and seconded by M. Murray, Resolution No. 2021-01-28, Authorizing Operations / Maintenance & Administrative Service Agreement, Route 3 Sewer Facilities, Board of Commissioners, was unanimously approved.

- b. Resolution No. 2021-01-29, authorizes and directs the Executive Director to enter into an Operations and Maintenance Service Agreement with the Town of Morristown, and further authorizes the Executive Director to execute the required and necessary agreements.

Upon a motion by F. Carter, and seconded by A. MacKinnon, Resolution No. 2021-01-29, Authorizing Operations and Maintenance Service Agreement, Town of Morristown, Water and Sewer Districts, was unanimously approved.

- c. Resolution No. 2021-01-30, authorizes and directs the Executive Director to enter into an Operations and Maintenance Service Agreement with the Thousand Islands Bridge Authority, and further authorizes the Executive Director to execute the required and necessary agreements.

Upon a motion by M. Murray, and seconded by A. Calligaris, Resolution No. 2021-01-30, Authorizing Operations and Maintenance Service Agreement, Thousand Islands Bridge Authority, Water and Wastewater Facilities, was unanimously approved.

- d. Resolution No. 2021-01-31, approves the Technical Services Agreement by and between the Authority and the New York State Department of Corrections, and further authorizes and directs the Executive Director to execute said agreement.

B. Nutting explained that the testing of all backflow prevention devices is an annual requirement, and the Authority has certified operators to perform this service while the correctional facility's employee was able to do this they have since retired resulting in the Authority offering to do it.

Upon a motion by T. Hefferon, and seconded by A. MacKinnon, Resolution No. 2021-01-31, Approving Technical Services Agreement, New York State Department of Corrections, Gouverneur Correctional Facility, Backflow Prevention Device Testing Agreement, was unanimously approved.

- e. Resolution No. 2021-01-32, authorizes and directs the Executive Director to enter into an Operations and Maintenance Service Agreement with the Town of

Gouverneur, and further authorizes the Executive Director to execute the required and necessary agreements.

Upon a motion by F. Carter, and seconded by A. MacKinnon, Resolution No. 2021-01-32, Authorizing Operations and Maintenance Service Agreement, Town of Gouverneur, Water and Sewer Districts, was unanimously approved.

11. Additional Resolution -

- a. Resolution No. 2021-01-33, modifies the conditions for a loan in the amount of up to \$300,000 from the North Country Value Added Agriculture Revolving Loan Fund to Tug Hill Vineyards, LLC at the modified terms and conditions outlined on the Term Sheet attached to the resolution, and further authorizes the Executive Director or the Chief Financial Officer to execute all documents necessary to make the loan. This is considered a Type II Action under the State Environmental Quality Review (SEQRA) and is considered an exempt activity requiring no further action.

M. Capone stated that this resolution was amended to reflect up to \$300,000 and requires a second mortgage on personal residences behind Farm Credit East to provide the 1:1 loan to value.

B. McGrath asked what changed between the original resolution and current. M. Capone noted that the underwriting was based on a Farm Credit East loan of \$870,000 and a line of credit of \$100,000. Farm Credit East ended up lending \$1,040,000 in total and the appraisal was lower than what we required for a 1:1 loan to value.

B. McGrath was concerned that the projections for 2021 were aggressive considering COVID, however noted that without the Authority loan the project would fall apart. M. Capone felt that the Bellers had identified opportunities to increase revenue like entertainment and farm-to-table that they could implement even through COVID. She agreed that this is a good project and partnership with Farm Credit East and the funding would be beneficial to the borrower.

A. MacKinnon felt comfortable knowing that Farm Credit East provided a significant amount of funding to this project. They must feel very comfortable with the project.

Upon a motion by F. Carter, and seconded by A. MacKinnon, Resolution No. 2021-01-33, Authorizing North Country Value Added Agriculture Revolving Loan Fund, Tug Hill Vineyards, LLC, Loan Modification, was unanimously approved.

12. Next Meeting(s) –

Budget and Finance Committee – February 5, 2021

Board Meeting – February 25, 2021

Board Meeting / Annual Meeting – March 25, 2021

F. Carter stated all are invited to attend each of these meetings. Be sure to let Carl know and the Zoom information will be provided to you.

C. Farone commented that Friday, February 5th, we are going to have the Budget Finance Committee meeting. We hope to have the budget sent out to the Board tomorrow to provide a week to review. We encourage all Board members to attend. It will likely be a two hour long meeting with lots of information, which is why we will provide the information to you prior to the meeting to give you time to read and digest it.

J. Johnson asked if the February 25th meeting will be held at 9:30 AM. C. Farone responded yes, if that works for everyone.

13. Upon a motion by T. Hefferon, and seconded by M. Murray, the meeting was adjourned at 10:51PM.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Frederick J. Carter", with a long horizontal flourish extending to the right.

Frederick J. Carter
Board Chair