



MINUTES
BOARD OF DIRECTORS MEETING
Thursday, October 24, 2024 – 10:30 AM
Warneck Pump Station
James W. Wright Conference Room
23557 NYS Rt. 37, Watertown, New York

The Development Authority of the North Country Board of Directors met in regular session in person and via Zoom Videoconference at the Warneck Pump Station, 23557 NYS Rt. 37, Watertown, New York on Thursday, October 24, 2024 at 10:30 AM.

Members Present

Voting

Margaret Murray, Chairperson
Mary Doheny *
Alex MacKinnon
Dennis Mastascusa
Kenneth Bibbins *
Mark Hall
Thomas Hefferon
Eric Virkler

Non-Voting

Nancy Henry
Steve Hunt
Brian McGrath *

Members Absent

*Attended via videoconferencing.

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 of Regional Development
Thomas Haynes, Director of Engineering
Jacqueline LeClair, Assistant Director of Telecommunications
Laurie Marr, Director of Communications and Public Affairs
Brian Nutting, Director of Water Quality
Regina Rybka-Lagattuta, Director of Human Resources
Shawn Thornton, Director of Materials Management
Angela Marra, Executive Assistant
Tonya Watson, Administrative Associate

Guests:

Jennifer Granzow, Counsel, Wladis Law Firm

1. Chairperson Murray called the meeting to order at 10:31 AM.
2. Chairperson Murray requested a roll call.
 - A quorum of voting and non-voting members was established.
3. Privilege of the Floor -
4. Approval of the Minutes –
 - a. The minutes of the September 26, 2024 Board Meeting be amended as follows to reflect the abstention of Ken Bibbins from Resolution No. 2024-09-72. Mr. Bibbins notified C. Farone and M. Murray on September 20, 2024 of his intent to abstain, however the abstention was not noted for the record during the meeting.

“Upon a motion by A. MacKinnon and seconded by E. Virkler, to ratify Resolution No. 2024-09-72, Regional Tourism Transformational Community Revolving Loan Fund, Wells-Jareo Holdings, LLC, Loan Ratification, was unanimously approved. K. Bibbins abstained.”

Upon a motion by M. Hall and seconded by D. Mastascusa, the minutes from the September 26, 2024 Board Meeting, as amended, were unanimously approved.

5. Chairperson’s Report
 - a. The next meeting will be December 19th at 10:30 AM at the James Wright Conference Room at Warneck.
 - b. A photographer is on-site today and we will be taking a group photo after the meeting. We would also like to request that you have an individual photo taken to update the Authority’s website.
6. Executive Director’s Report –
 - a. Telecom NTIA Project:

C. Farone announced we have received the completed and approved NEPA Environmental Review allowing us to commence construction. This happened one year after the award in part because of the hard work from our Telecom, Engineering, and Regional Development staff.
 - b. MMF School Field Trips:

C. Farone stated that with not holding an open house this year, we are still trying to bring people to the landfill. Tours provide another way to get people in the door and we are focusing on bringing students to the Materials Management Facility. S. Thornton and J. Phelps have done a fantastic job this first year by bringing 360 students on tours through the end of October. This is an organized process where an educational experience is provided to show where the waste goes, the importance of recycling, and to utilize the Murray Center. It is an important part of everyday life and important to do what is right for the environment. Well done to the Materials Management Staff.

c. FEMA Reimbursement:

C. Farone shared that T. Hefferon received a call from an acquaintance at the Department of Homeland Security stating that there was an opportunity for FEMA reimbursement and they noticed the Authority wasn't on the list. C. Farone used this information and contacted the Department of Homeland Security and found that the application needed to be submitted by Wednesday (two days ago). For damage to be considered it needed to have occurred between August 8-10, during Hurricane Debbie. C. Farone contacted C. Tuttle to review possible damage and found that we had flooding that was previously reported to the Board resulting in damaged wet wells and culverts. We were able to compile the proper information and submitted the appropriate documentation to FEMA on Wednesday, October 23rd. There is still work to be done to calculate the actual amount, but there is now potential that we may be reimbursed for some of the damage.

d. Staff Updates –

C. Farone shared the following staff achievements:

Nic Tibbetts, Safety & Environmental Technician (Materials Management) earned his 10-Year Longevity Service Award.

7. Finance –

J. Staples presented the August financials, beginning with the Statement of Net Position which reflects the change from fiscal year 2024 against August year-to-date. The change between assets and total liabilities, deferred outflows and net position is \$1.7 million. There are no significant changes to assets, but Accounts Receivable did increase by \$1 million over FYE 24. Other than the outstanding amount still pending from USAC, there are no significant past due concerns. Under Liabilities, the only one significant change was the Board designated landfill gas reserve, which has been reduced year-to-date by \$1.3 million. We continue to draw this reserve to zero in funding the capital project, which includes adding more gas extraction wells to Phase I of the Landfill, tying in the Southern expansion to the existing collection system, and replacing the flare. Once this reserve is drawn down to zero, the balance of the funding for this project will come out of the replacement reserve. The total for this project will be \$4.1 million.

J. Staples continued by reviewing the Total Operating Revenue, which is running lower than the year-to-date budget by \$2.1 million. Grant revenue is the largest category under budget by \$1.8 million. As of the end of August, Telecom has received \$136,000 in revenue from the NTIA Grant. The year-to-date budget for Telecom Grant Revenue is \$1 million, which includes the NTIA and the NBRC projects, and draws will continue as funds are spent. Also under grant revenue is the Army Waterline \$5 million grant associated with the Army Water Line pipeline replacement project. We will not be recognizing this grant revenue until which time we turn the short-term EFC financing into a long-term loan, which is currently being reviewed as the Water Line replacement project nears completion. Other Income is under budget by \$480,000, all of which is associated with Carbon Credit Revenue. We did receive approval from the Climate Action Reserve (CAR) for the 2021 and 2022 carbon credits, and credits have been placed in the Authority's

account. Our consultant has reached out to a variety of buyers, and a decision has been made on the sale for carbon credits for 2021-2022. Revenue will be recognized once a contract is agreed upon and credits are sold. We are estimating revenue to come in at \$866,000, of which we pay 10% to our consultant/advisor. The net income to MMF will be around \$779,000, and this sale will include the future credits for 2023. Once the verification process is complete for 2023, we will sell those credits to the same company at a slightly higher price.

MMF Tonnage for August year-to-date was projected at 99,477 tons and actual tonnage was 104,809, which is slightly over budget by 5%.

Overall Operating Expenses are under budget by \$256,000, mainly associated with operating and maintenance expenses and professional fees. Under Operating and Maintenance Expenses, MMF is under budget by \$106,000, mainly associated with fuel expense. The fuel budget assumed two working phases would be operating at the same time; however, the landfill is only running one phase at a time reducing the fuel needed for equipment. Professional fees under MMF are under budget by \$136,000 with \$125,000 being associated with the carbon credit expense. No additional carbon credit expenses have been paid out as of the end of August, but we will start to see expenses over the next several months as we pay the Climate Action Reserve to release the credits for sale and we start the verification process for the 2023 carbon credits.

Under Non-Operating Revenue and Expense, Total Non-Operating Revenue and Expense is a net over budget by a positive \$1.3 million, Total Interest Income is over budget by \$1.1 million, Actual Interest Income year-to-date is \$1.3 million and Market Adjustment is a positive \$801,000. Market Adjustments are not a realized gain or loss. Gain on Sale of fixed assets of \$85,000 is mainly related to eight fleet vehicles that were auctioned off in April, and we did send more fleet items to be auctioned off in October. Gain on Trade of Fixed Assets was \$480,000, related to the MMF compactor and the MMF tanker trailer that have been traded in for new equipment.

To summarize, the Change in Net Position shows a gain of \$525,000 versus a year-to-date budget gain of \$1 million, with the discrepancy mainly related to budgeted grant revenue which is still expected to be received in FY 25.

Upon a motion by E. Virkler, and seconded by A. MacKinnon, financials ending August 31, 2024, were unanimously approved.

8. Technical Services Summary Report –

a. Non-Lewis County Contracts –

- I. Town of Waddington, TSA, Leishman Point Campground Development, Total Agreement Amount of \$6,000.00, 11/01/24 – 6/30/24, St. Lawrence County
- II. St. Lawrence County, TSA, NBRC Grant Admin (AP-NBRC-056) Tooley Pond Road Bridge, Total Agreement Amount of \$15,000.00, 11/01/24 – 12/31/25, St. Lawrence County

- III. Town of Alexandria, GIS, GIS Web-Based Hosting Services Agreement (renewed 5 year contract for services), Total Agreement Amount of \$4,600.00, 01/01/25 – 12/31/29, Jefferson County
- IV. Town of Canton, GIS, GIS Web-Based Hosting Services Agreement (renewed 5 year contract for services), Total Agreement Amount \$4,600.00, 01/01/25 – 12/31/29, St. Lawrence County
- V. Town of Massena, GIS, GIS Web-Based Hosting Services Agreement (renewed 5 year contract for services), Total Agreement Amount \$4,600.00, 01/01/25 – 12/31/29, St. Lawrence County
- VI. Town of Louisville, Operations and Maintenance Service Agreement for Water Treatment Plant, Total Agreement Amount \$498,660.00, 01/01/2025 – 12/31/2029, St. Lawrence County
- VII. Village of Antwerp, TSA, Closed Circuit Televised Inspections, Total Agreement Amount \$5,000.00, 10/25/2024 – 12/31/2024, Jefferson County

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

b. Lewis County Contracts -

- VIII. Lewis County, TSA, Lewis County Planning and Community Development Amendment No. 1, Total Agreement Amount of \$20,000.00, 11/01/24 – 12/31/25, Lewis County

Upon a motion by D. Mastascusa, and seconded by M. Hall, Board Contract Summary Table item numbered VIII for the month of October were approved. E. Virkler abstained from this vote.

9. Engineering –

- a. Resolution No. 2024-10-73, approves Amendment No. 1 to the Technical Services Agreement for Water and Wastewater Infrastructure Improvements, by and between the Authority and Paul Smith’s College of Arts and Sciences. Furthermore, the Executive Director is authorized and directed to execute said Agreement.

Upon a motion by E. Virkler and seconded by A. MacKinnon, Resolution No. 2024-10-73, Technical Services Amendment No. 1, Paul Smith’s College of Arts & Sciences, Water & Wastewater Infrastructure Improvements, was unanimously approved.

- b. Resolution No. 2024-10-74, approves Amendment No. 1 to the Technical Services Agreement for Water System Improvements Project, by and between the Authority and the Village of Malone. Furthermore, the Executive Director is authorized and directed to execute said Agreement.

Upon a motion by D. Mastascusa and seconded by M. Hall, Resolution No. 2024-10-74, Technical Services Amendment No. 1, Village of Malone, Water System Improvements Project, was unanimously approved.

10. Materials Management –

- a. Resolution No. 2024-10-75, approves the Solid Waste Operating Permit Rules and Requirements Policy as attached and incorporated within the resolution. Furthermore, the Executive Director is hereby authorized to implement said rules, applications, permits and fees as documented in the Solid Waste Operating Permit Rules and Requirements Policy.

C. Tuttle stated that this is usually reviewed in the spring at the Annual Meeting, but there was need to look at it sooner in light of some issues that had been identified through increased compliance inspections.

In reviewing the updates specifically pertaining to recycling, A. MacKinnon asked about a box containing a pie where the chocolate got on the inside of the box, is this garbage or recyclable. C. Tuttle responded that any cardboard that is contaminated with food waste should be thrown out. C. Tuttle continued by stating this is where the education piece becomes important because a contaminated piece can affect a whole load of materials. S. Thornton also shared that rinsing out an item, such as a yogurt container, helps with recycling as opposed to throwing it away. C. Tuttle further commented that in California the pie box would have been compost because it had food on it, and things are heading in this direction because there is legislation in New York to begin looking into changing these requirements.

Upon a motion by E. Virkler and seconded by D. Mastascusa, Resolution No. 2024-10-75, Solid Waste Operating Permit Rules & Requirements Policy, Materials Management Facility, Revision, was unanimously approved.

11. Water Quality –

- a. Resolution No. 2024-10-76, authorizes and directs the Executive Director to enter into Amendment No. 2 to the Water Service Agreement with the Town of Champion.

Upon a motion by D. Mastascusa and seconded by M. Hall, Resolution No. 2024-10-76, Amendment No. 2, Water Service Agreement, Town of Champion, was unanimously approved.

12. Regional Development –

- a. Loan Report –

M. Capone reported that Golden Technology Management is two months in arrears. She stated that they typically run in the arrears and she will be contacting them to work on getting their payments caught up.

Everything else looks good and people are paying as agreed.

- b. Resolution No. 2024-10-77, extends the term of the Jefferson County Historical Society loan for an additional 6 months subject to the Term Sheet attached to this Resolution.

Upon a motion by E. Virkler and seconded by D. Mastascusa, Resolution No. 2024-10-77, Economic Development Fund, Jefferson County Historical Society Loan Extension, was approved. M. Doheny recused herself from this vote.

- c. Resolution No. 2024-10-78, authorizes the Executive Director to enter into a Technical Services Agreement with the Town of Tupper Lake to complete a housing grant application to NYS Affordable Housing Corporation in an amount not to exceed \$3,500. Furthermore, if the application is funded, this Resolution authorizes the Executive Director to enter into a Technical Services Agreement with the Town of Tupper Lake to provide grant administration and program delivery in an amount not to exceed \$40,000.

Upon a motion by M. Hall and seconded by D. Mastascusa, Resolution No. 2024-10-78, Technical Services Agreement, Town of Tupper Lake, was unanimously approved.

13. Executive Session – for the purpose of:

- a. Discussion regarding the employment history of a particular person or matters leading to the appointment or employment of a particular person.
- b. Discussion regarding proposed, pending or current litigation.

Upon a motion by M. Hall and seconded by D. Mastascusa, the Board moved into Executive Session at 11:06 AM.

B. McGrath left the meeting at 11:15 AM.

Upon a motion by D. Mastascusa and seconded by M. Hall, the Board moved out of Executive Session at 11:24 AM.

Chairperson Murray reported no action was taken.

14. Additional Resolutions –

- a. Resolution No. 2024-10-79, approves the Operation, Maintenance, and Management Services Agreement by and between the Authority and the Village of Malone, and authorizes and directs the Executive Director to negotiate an agreeable start date to commence such services and to execute said agreement. Furthermore, the Executive Director is authorized to negotiate and execute a Memorandum of Understanding, by and between the Authority and the Village of Malone to document the agreed upon terms and conditions by which the Village's existing employee(s) will transfer to the Authority's employment.

Upon a motion by A. MacKinnon and seconded by E. Virkler, Resolution No. 2024-10-79, Operation, Maintenance & Management Services Agreement, Village of Malone, Water and Wastewater Facilities, was unanimously approved.

- b. Resolution No. 2024-10-80, amends the Fiscal Year 2025 Water Quality Contracts Budget as shown within the resolution upon the execution of the Service Agreement and Memorandum of Understanding with the Village of Malone pursuant to Resolution No. 2024-10-79. Furthermore, this resolution also amends FY 2025 Army Sewer Line Budget as shown within the resolution upon the execution of the Service Agreement and Memorandum of Understanding with the Village of Malone pursuant to Resolution No. 2024-10-79

Upon a motion by M. Hall and seconded by D. Mastascusa, Resolution No. 2024-10-80, Fiscal Year 2025 Operating Budget Amendment, Water Quality Division, was unanimously approved.

- c. Resolution No. 2024-10-81, amends the Administrative Capital Budget for Fleet Vehicles to increase the budget from \$320,032 to \$510,032 upon execution of the Service Agreement and Memorandum of Understanding with the Village of Malone pursuant to Resolution No. 2024-10-79.

Upon a motion by E. Virkler and seconded by M. Hall, Resolution No. 2024-10-81, Capital Project Budget Amendment, Administrative Division, Vehicle Replacement, was unanimously approved.

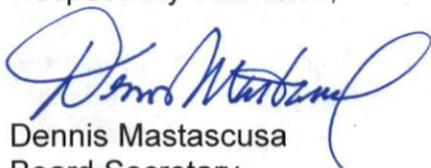
15. The next Board Meeting will take place on December 19, 2024.

M. Hall commented that while surfing the Authority website the other day he noticed a new very impressive video. C. Farone replied that he will be sending it to every Board member, and further explained that L. Marr had the video created for the upcoming Authority anniversary.

16. Adjourn -

Upon a motion by A. MacKinnon and seconded by M. Hall, the meeting was adjourned at 11:30 AM.

Respectfully submitted,


Dennis Mastascusa
Board Secretary