

Board Resolution No. 2025-03-20
March 27, 2025

**APPROVING MODIFICATIONS TO
PERSONNEL POLICY**

Whereas, the Development Authority of the North Country operates according to Board policies and administrative guidelines as may be amended from time to time, and

Whereas, the Personnel Policy of the Development Authority of the North Country is posted on the Development Authority's website, and

Whereas, executive management has reviewed and recommends modification as reflected in the attached Personnel Policy. Substantive changes to the Policy are as follows:

2.18 Telecommuting Policy – added language prohibiting conducting in person business meetings at an employee's personal residence.

3.1(I) Employees – provided an expanded definition of Full-Time, Part-Time and Temporary employees.

3.1(VII) On-Call Pay – expanded the provision of on-call pay to include both hourly and salaried employees who are on-call and meet specific requirements.

4 Benefits – provided additional clarity regarding benefits offered to Full-Time, Part-Time and Temporary staff.

Appendix A – Updated Organization Chart.

Appendix B – Updated Standard Work Day to include additional positions authorized.

Now, therefore be it

RESOLVED, that the Development Authority of the North Country does hereby approve the Personnel Policy, attached hereto and incorporated in this Resolution.

Motion by: M. Hall
Seconded by: D. Mastascusa

Voting:

Bibbins – **Yes***

Doheny – **Yes**

Hall – **Yes**

Hefferon – **Yes**

MacKinnon - **Yes**

Mastascusa -**Yes**

Murray – **Yes***

Virkler – **Yes**

Non-Voting:

Henry – **Present**

Hunt – **Present**

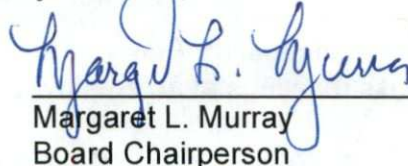
McGrath – **Present***

* - indicates attendance via videoconference.

* - indicates voting member attending using audio only, unable to vote.

DEVELOPMENT AUTHORITY OF THE NORTH COUNTRY

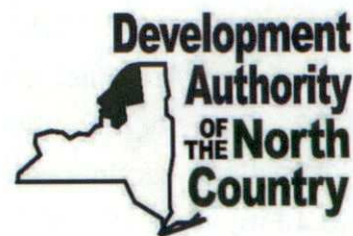
I, the undersigned, Chairperson of the Board of Directors of the Development Authority of the North Country, do hereby certify that I have compared the foregoing copy of Resolution No. 2025-03-20 of the Development Authority of the North Country with the original adopted by the Development Authority of the North Country at a meeting of said Authority on the 27th day of March, 2025, and that same is a true and correct copy of such resolution. In testimony whereof, I have hereto set my hand this 27th day of March, 2025.



Margaret L. Murray
Board Chairperson

Development Authority of the North Country

Subject: Personnel Policy
Adopted: March XX, 2025
Resolution: 2025-03-20



PERSONNEL POLICY

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SECTION 1 – INTRODUCTION

1.1 Welcome to the Development Authority of the North Country

An interesting and challenging experience awaits you as an employee of the Development Authority of the North Country (Authority). To answer some of the questions you may have concerning the Authority and its policies, we have written this Personnel Policy. Its purpose is to establish guidelines for fair, consistent and legal treatment of Authority employees. Please read it thoroughly and retain it for future reference. The Personnel Policy is subject to change at the sole discretion of the Authority and supersede any prior written or unwritten policies. The Personnel Policy may also be modified, as deemed necessary, to accommodate individual employment circumstances. From time to time, you may receive updated information concerning changes in the policy. Should you have any questions regarding any policies, please ask your supervisor.

The purpose of this Personnel Policy is to provide a general guide to the Authority's policies, programs, and benefits. As with all Authority communications, this Personnel Policy is provided to employees for their general information. This Personnel Policy does not include all the information employees will need during the course of their employment; therefore, employees are encouraged to contact their supervisors for additional information when necessary, and to review other Authority policies and procedures as applicable.

This Personnel Policy is not a contract guaranteeing employment, and nothing in it, or any other policy or communication, changes the fact that employment with the Authority is at-will. At-will employment means you can leave the Authority at any time, and the Authority can terminate your employment at any time, for any reason.

We wish you the best of luck and success in your position and hope that your employment relationship with the Authority will be a rewarding experience.

1.2 Authority Mission

The mission of the Development Authority of the North Country is to serve the common interests of Jefferson, Lewis and St. Lawrence Counties by providing technical services and infrastructure, which will enhance economic opportunities in the region and promote the health and well-being of its communities and Fort Drum.

1.3 Authority Principles

We will measure our achievements against these standards in all our activities.

A. Integrity

- We will be honest and responsible in dealing with customers, suppliers, partners and coworkers.

B. Environment

- We will strive to protect, conserve and enhance the health and well-being of our region, for current and future generations.

C. Quality and Excellence

- We will provide services that meet or exceed the needs and expectations of our customers.
- We will listen to our customers and pursue improvement and innovation in all our operations.

D. People

- People are the key to our success and our most important resource. Our employees will have equal opportunity in an environment that fosters communications and continuous improvement through employee involvement. We will treat our employees the way we expect them to treat our customers.

E. Leadership and Accountability

- We will identify opportunities that will benefit our customers and partners, and will focus our resources to take advantage of those opportunities. We will be accountable and responsible - individually and as an organization - for our actions and results.

F. Partnership

- We will work collectively and cooperatively with our coworkers and customers to achieve together what we could not achieve alone.

G. Stewardship

- We will maintain the highest level of fiscal responsibility and trust in our dealings.

SECTION 2 - EMPLOYMENT POLICIES

2.1 Equal Employment Opportunity

The Authority is an equal opportunity Employer and does not discriminate against any applicant or employee because of race, color, creed, religion, national origin, age, sex, sexual preference, sexual orientation, marital status, domestic violence victim status, gender identity or expression, familial status, military status, veteran's status, disability, genetic predisposition or carrier status, a known disability or any other characteristics protected by law. This policy applies to all terms and conditions of recruitment and employment, including, but not limited to, hiring, placement, promotion, working conditions, termination, layoff, recall, transfer, leave of absence, discipline, compensation, and training.

To further the principles of equal employment opportunity for all, the Authority has developed affirmative action practices for minorities, women, handicapped individuals, and Vietnam-era special disabled veterans. The Executive Director is responsible for administering and ensuring compliance with these policies.

Any employees with questions or concerns about any type of discrimination in the workplace are encouraged to bring these issues to the attention of their immediate supervisor, the Human Resources Department or Executive Director. Employees can raise concerns and make reports without fear of reprisal. Every effort will be made to maintain the confidentiality of the matter consistent with the Authority's need to thoroughly investigate the allegations. Complete confidentiality cannot however be guaranteed. Anyone found to be engaging in any type of unlawful discrimination will be subject to disciplinary action, up to and including termination of employment.

2.2 Prohibition of Discrimination Based on Reproductive Health Decision Making

The Authority will not access an employee's personal information regarding the employee's or the employee's dependent's reproductive health decision making, discriminate or take any retaliatory action against any employee with respect to compensation, terms, conditions, or privileges of employment because of or on the basis of the employee's or their dependent's reproductive health decision making, or require an employee to sign a waiver or other document which purports to deny an employee the right to make their own reproductive health care decisions. For purposes of this policy "reproductive health decision making" includes, but is not limited to, a decision to use or access a particular drug, device, or

medical service. In addition to reporting any alleged violations of this policy to the Authority, employees may also choose to pursue legal remedies by initiating a civil action in court for damages, injunctive relief, reinstatement, and/or liquidated damages.

No employee will be subject to retaliation or discipline by the Authority as a result of making or threatening to make a complaint against the Authority, a co-worker, or a public body, with respect to rights guaranteed under applicable law that have been violated; causing to be instituted any proceeding alleging violations of applicable law; or providing information to, or testifying before, any public body conducting an investigation, hearing, or inquiry into any alleged violation by the Authority of applicable law, rule, or regulation.

Any employee who believes that they have been subject to discriminatory or retaliatory behavior in violation of this policy should report it immediately to Human Resources or the Executive Director.

2.3 Personal Privacy Protection and Employee Access to Personnel Records

- I. Personnel files are the property of the Authority.
- II. The Authority complies with Article 6A of the Public Officers Law with respect to the privacy of personnel records.
- III. Upon request, each employee of the Authority will be allowed to inspect their personnel records in the presence of their supervisor or Human Resources. An employee may request inaccurate information be corrected and/or may submit corrections to the records. If a request to correct records is denied, the employee may file a written appeal with the Executive Director.

2.4 Employee Complaint Process

The Authority has an internal complaint and right of appeal process to enable an employee to request assistance, report sexual harassment or other discrimination, or address any perceived unfairness. Through this process, the Authority can eliminate conditions, which may be discriminatory or detrimental to an employee or the Authority's efficiency and reputation.

Misunderstandings or conflicts can arise in any organization. To ensure effective working relations, it is important that such matters be resolved before serious problems develop. Most incidents resolve themselves naturally; however, should a situation persist that you believe is detrimental to you or to the Authority, you should follow the procedure described here for bringing your complaint to management's attention.

Step One: Discussion of the problem with your immediate supervisor or Division Director is encouraged as a first step. If, however, you don't believe a discussion with your supervisor is appropriate, you may proceed directly to Step Two.

Step Two: If your problem is not resolved after discussion with your supervisor or if you feel discussion with your supervisor is inappropriate, you are encouraged to request a meeting with Human Resources. In an effort to resolve the problem, the Authority will consider the facts, conduct an investigation, and will normally respond within five working days.

Step Three: If you are not satisfied with this decision and wish to pursue the problem or complaint further, you may prepare a written summary of your concerns and request that the matter be reviewed by the Executive Director and/or Governance Committee. If the Executive Director has already been consulted during Step Two, the issue will be reviewed by the Governance Committee.

The committee, after a full examination of the facts (which would include a review of the written summary of your statement, and may include discussions with all individuals concerned, and a further investigation if necessary), will normally advise you of its decision within fifteen working days. The decision of the committee shall be final.

All requests will be reviewed as quickly and thoroughly as possible. The concern or complaint will be treated with complete respect and confidentiality, except as may be otherwise required by law.

2.5 Employee Assistance Program

- I. The Authority recognizes that a wide range of problems — such as marital or family distress, alcoholism, and drug abuse — not directly associated with an individual's job function can nonetheless be detrimental to an employee's performance on the job. Consequently, we believe it is in the interest of employees and the Authority to provide an effective program to assist employees and their families in resolving problems such as these as the need arises.
- II. Pivot Employee Assistance Services (EAP), is a confidential referral service available to all employees. The program provides crisis intervention and pretreatment counseling and referral to appropriate professional services for any employee with a personal problem that is adversely affecting job performance. Employees wishing this confidential service may call 315-788-4790.
- III. Participation in EAP does not excuse employees from complying with normal Authority policies or from meeting normal job requirements during or after receiving EAP assistance. Nor will participation in our EAP prevent the Authority from taking disciplinary action against any employee for performance problems that occur before, during, or after the employee's seeking assistance through the EAP.

2.6 Physical Evaluation/Alcohol and Substance Abuse

Drug and alcohol dependency is an illness and a major health problem, which effects employee job performance. Furthermore, such abuse creates potential safety and security problems. For these reasons, the Authority has developed this policy.

- I. As part of the Authority's employment procedures, all job applicants offered a position with the Authority will be required to have a pre-employment medical examination and drug screen conducted by a physician designated by the Authority. Any offer of employment by the Authority is contingent upon, among other things, satisfactory completion of these examinations, and a determination by the Authority and its examining physicians that the applicant is capable of performing the responsibilities of the position that has been offered.
- II. Further, as a condition of continued employment, employees may also be required to undergo periodic medical examinations, at times specified by the Authority. Examinations may be required post-job injury or incident/accident. In connection with these examinations, employees are required to provide the Authority with access to their medical records, if requested. Further, it should be understood that the Authority receives a full medical report from its examining physicians regarding the applicant's or employee's state of health. Questions about medical examinations or alcohol and drug screening should be directed to Human Resources.
- III. The Authority is required to comply with the Omnibus Transportation Employee Testing Act of 1991 (the "Act") and the U.S. Department of Transportation Regulation 49 CFR Part 40 (the "Regulation"). Job applicants for a position that requires a CDL will be required to have a pre-employment alcohol and controlled substance screening. Procedures for compliance with the

Act and Regulation have been adopted by the Authority and communicated to covered employees.

- IV. All Authority required medical examinations and alcohol and drug screenings are paid by the Authority.
- V. Employees are expected and required to report to work on time and in mental and physical condition for work. Reporting to work under the influence of alcohol or a controlled substance is prohibited.
- VI. The manufacture, distribution, dispensation, possession, or use of alcohol, marijuana or any controlled substance on Authority premises or while conducting Authority business off premises is prohibited. Violations of this policy will result in disciplinary action, which may include termination of employment.
- VII. The Authority encourages employees needing help in dealing with such problems to use the Pivot Employee Assistance Services, 315-788-4790.

2.7 Conflicts of Interest

- I. Authority employees may not have any interest, direct or indirect, financial or otherwise, or engage in any business activity or transaction which is in conflict or creates the appearance of a conflict with the proper discharge of the employee's duties for the Authority. All personnel will sign an annual certification, declaring any conflicts of interest, or affirming none exist.
- II. All business of the Authority must be conducted on an objective basis, solely on its merits and in accordance with Section 74 of the Public Officers Law, "Code of Ethics", and the Authority's Ethics Policy.

2.8 Confidential Information

- I. Employees may not use their knowledge gained in the course of employment with the Authority in any way except to serve the authorized purposes of the Authority.
- II. All of the business transacted by the Authority and all records, correspondence and general information is to be considered confidential except as specifically identified otherwise by the Executive Director, in accordance with the Authority's Public Access to Records policy.
- III. Employees found to be violating this policy are subject to disciplinary action, up to and including termination, and may be subject to civil and/or criminal penalties for violations of, among other things, applicable securities laws.

2.9 Outside Employment

- I. No Authority employee may engage in outside employment of the same nature, or provide similar services as provided by the Authority. An employee may engage in unrelated employment outside the Authority during hours that do not interfere with their work schedule or performance.
- II. Authority employees who serve as directors, owners, employees or agents of companies seeking to do business with the Authority shall disclose in writing such interest to the Executive Director, who shall determine whether a prohibited conflict exists. The Executive Director shall update and review such relationships on an annual basis.

- III. This guideline does not apply to volunteer, civic and humanitarian organizations.

2.10 Personal Conduct and Disciplinary Procedures

- I. Each Authority employee is expected to be aware of and personally exemplify the highest standards of professional, ethical and moral conduct.
- II. Whether you are on duty or off, your conduct reflects on the Authority. You are, consequently, encouraged to observe the highest standards of professionalism at all times.
- III. Types of behavior and conduct that the Authority considers inappropriate include, but are not limited to, the following:
- Falsifying employment or other Authority records
 - Violating the Authority's nondiscrimination and/or sexual harassment policy
 - Excessive absenteeism or tardiness
 - Excessive, unnecessary, or unauthorized use of supplies, particularly for personal purposes
 - Reporting to work intoxicated or under the influence of non-prescribed drugs, and illegal manufacture, possession, use, sale, distribution or transportation of drugs
 - Bringing or using alcoholic beverages, marijuana or any illegal drug on Authority property or using alcoholic beverages, marijuana or any illegal drug while engaged in Authority business
 - Fighting or using obscene, abusive, or threatening language or gestures
 - Theft of property
 - Possession of firearms on Authority premises or while on Authority business
 - Disregarding safety or security regulations
 - Insubordination
 - Failing to maintain required confidentiality
- IV. Violations of the Authority's work rules, instances of unacceptable behavior or misconduct, or continued poor performance will generally be subject to progressive discipline. Progressive discipline means that employees will be assessed penalties that become increasingly severe each time an offense is repeated or a performance improvement is not forthcoming. However, some types of misconduct and/or job performance are so serious that they may result in further discipline to include an immediate dismissal from employment.

2.11 Solicitations

- I. Solicitation or distribution of literature of any kind by or of Authority employees is not permitted during working time or in working areas. Employees who are not on working time, such as during meal periods, break time, or other non-working time, may not solicit employees who are on working time. The intent of this prohibition is not to preclude supporting the fundraising efforts of adjudged community benefit organizations. All such proposed solicitations shall be approved, and conditions of approval detailed, by the soliciting employee's supervisor.
- II. Non-employees are not permitted to solicit or distribute literature at any time on Authority property.

2.12 Personal Business and Use of Authority Equipment

- I. The Authority expects all of its employees to perform Authority work during their normal work hours. Employees are expected to use discretion with regard to incoming and outgoing personal calls, and the carrying out of personal business during normal work hours.
- II. Employee work areas, desks, lockers, and office equipment are provided by the Authority. The control of these areas and equipment remains with the Authority and the Authority reserves the right to enter these workspaces and monitor the use of other equipment when deemed appropriate.
- III. The Authority's computer system provides e-mail capabilities. The system is subject to monitoring by the Authority and the use of electronic mail program amounts to employee consent of such monitoring. Employees using Authority computers may, from time to time, find it necessary to use a password to protect confidential material. When a confidential password is used, it must also be given to the employee's supervisor as needed. The Authority's computer system is governed by the Authority's Information Technology and Security Policy and associated IT procedures.
- IV. The Authority also reserves the right to open all mail delivered to the Authority; therefore, employees are encouraged to have personal mail delivered to their homes.
- V. Personal use of Authority equipment or supplies, including, but not limited to, copying machines, fax machines, computers, and office supplies, is generally prohibited. The intent of this policy is not to preclude reasonable use of such equipment by the employee when the employee's supervisor determines that such use is in the interest of the Authority given specific circumstances. Use of Authority equipment or supplies for outside employment is strictly prohibited.
- VI. Personal use of Authority automobiles and other equipment is prohibited.

2.13 Safety and Wellness

Providing you with safe working conditions is a primary concern of the Authority. To this end, the Authority makes every effort to comply with relevant Federal and State Occupational Health and Safety Laws, but the prevention of injuries and accidents cannot be accomplished without the continuous sincere effort of all employees. We encourage you to be constantly on the alert for incidents of human error and mechanical failure. Report any condition or employee practice that is likely to cause an accident to your supervisor immediately. For more information regarding safety and health, refer to the Health & Safety Manual located on the Authority website.

2.14 Workplace Violence Prevention Program

The Authority is a New York State public benefit corporation and therefore, is required to follow NYCRR Part 800.6 Workplace Violence Prevention regulations. The requirements of the regulation mandates annual training for all employees at time of hire and annually thereafter of what workplace violence is, conduct a risk evaluation to identify possible danger before they happen and provide a written workplace violence prevention program for employee review. For more information regarding the Authority's Workplace Violence Prevention Program, refer to the program details in the Health & Safety Manual.

2.15 Smoking Policy

The purpose of this policy is to establish guidelines whereby the Authority provides a smoke-free work environment for our employees and complies with all federal and state indoor Clean Air Acts. This policy applies to all employees, vendors, visitors and contractors. Any use of tobacco must be 25 feet away from Authority buildings.

- I. Discipline: All employees share in the responsibility for adhering to and enforcing the Smoking Policy. In all cases, the right of the non-smoker to protect their health and comfort will take precedence over an employee desiring to smoke. Employees who violate this policy may receive a written safety violation notice and may be disciplined, up to and including termination of employment, based on the severity of the violation.
- II. Employee Assistance: The Authority provides an Employee Assistance Program for its employees. This program includes assistance with smoking cessation. In addition, community-based programs are available and the Authority will assist any interested employee (Reference Personnel Policy Section 2.5., Employee Assistance Program).

2.16 Tape Recording Policy

The Authority prohibits its employees from secretly recording or directing others to secretly record, by audio or video tape or other electronic means, discussions or meeting between or among employees, vendors, visitors and contractors while on Authority premises, and/or between or among employees while outside the Authority-on-Authority business without the prior express written approval by the Executive Director. Anyone violating this policy will be disciplined up to and including termination from employment.

2.17 Nursing Mothers Policy

The Authority will provide a reasonable amount of break time to accommodate a female employee's need to express breast milk for the employee's infant child. The break time should, if possible, be taken concurrently with other break periods already provided. The Authority will also make a reasonable effort to provide the employee with the use of a room or other location in close proximity to the employee's work area, for the employee to express milk in private.

Employees should notify their supervisor, or a member of Human Resources to request time to express breast milk under this policy. The Authority reserves the right to delay or postpone an employee's request for a lactation break by up to 30 minutes if the additional break time will seriously disrupt operations and in accordance with applicable law.

No provision of this policy applies or is enforced if it conflicts with or is superseded by any requirement or prohibition contained in a federal, state or local law or regulation. Anyone with knowledge of such a conflict or potential conflict should contact Human Resources.

2.18 Telecommuting Policy

The Authority has a Telecommuting policy that establishes guidelines for telecommuting arrangements for employees. Telecommuting arrangements are not a right or entitlement of employment; they are discretionary and subject to operational needs. Telecommuting arrangements can be rescinded at any time with appropriate notice. The appeals process does not apply when a telecommuting arrangement has been denied or rescinded.

Telecommuting allows employees to work at home, on the road or in a satellite location for all or part of their workweek. The Authority considers telecommuting to be a viable, flexible work option when both the employee and the job are suited for such an arrangement. Telecommuting may be appropriate for some

employees and jobs, but not for others. Telecommuting is not an entitlement, it is not an Authority-wide benefit, and it in no way changes the terms and conditions of employment between the employee and the Authority. It is important to note that Telecommuting approved on a one-off or otherwise irregular basis is not a telecommuting arrangement as defined under the policy.

Telecommuting arrangements require the initial and ongoing approval of the employee's Division Director, Human Resources, and the Executive Director. For more information regarding the policy, refer to the program on the Authority website.

To maintain a secure and professional environment, the Authority prohibits conducting in person business meetings at an employee's personal residence. Home settings do not meet the necessary standards for business discussions. Employees are expected to hold meetings in designated office spaces, conference rooms, or through approved virtual platforms.

2.19 Employment References and Background Checks

Employment References for New Employees

To ensure that individuals who join the Authority staff are well qualified and have a strong potential to be productive and successful, it is the policy of the Authority to check the employment references of a person selected for hire as a condition of employment.

Background and Credit Checks

Likewise, the Authority will perform background checks on candidates selected for employment. In addition, for specific positions, the Authority will conduct credit checks on candidates selected for employment or promotion into those positions. The Authority will comply with the federal Fair Credit Reporting Act and applicable state laws, including providing the selected person for hire or employee with any required notices and forms. Consistent with legal requirements, the Authority requires a person selected for hire or an employee selected for a promotion to sign the appropriate authorization and release forms, as requested, as a condition of employment or promotion.

External Employment Reference Checks

The Authority receives employment reference checks from external sources, including reference checks from lending institutions for current employees, and from other employers for former employees. All employment reference check requests received by Authority personnel must be forwarded to Human Resources. Only Human Resources may provide this employment information on behalf of the Authority. Prior to responding to such requests, Human Resources will contact the employee to validate that the request is legitimate.

Employment reference checks must be submitted to Human Resources in writing. Responses to such inquiries will confirm dates of employment, wage rates and position(s) held. No employment data will be released without a written authorization and release signed by the individual who is the subject of the inquiry.

Letter of Recommendation

Employees are not permitted to write business letters of recommendation for existing or former employees on behalf of the Authority. All formal requests for a letter of recommendation must be sent to Human Resources for a reply.

An employee may provide a personal letter of recommendation regarding an existing or former employee as long as the letter is not on Authority letterhead, does not reference the writer's Authority position title and is completed on personal time. If the letter references the Authority in the body of the letter, a disclaimer must be noted on the letter stating, "This letter does not represent the opinion of the Development Authority of the North Country".

SECTION 3 - COMPENSATION POLICIES

3.1 Salary Administration Definitions

I. Employees

- A. **Regular-Full-Time** - Any employee who is regularly scheduled to work 30 hours or more per week. **Regular-Full-Time** employees are eligible for the benefits detailed in Section 4.
- B. **Part-Time** - Any employee who is regularly scheduled to work less than 30 hours per week or less than 1,560 hours, in any fiscal year. Part-Time employees are not eligible for benefits as described in Section 4, except for participation in the New York State Employees' Retirement System and those benefits that are statutorily required. Part-Time employees receive workers' compensation as mandated by law. Part-Time employees working a minimum of 20 hours per week receive short-term disability coverage.
- ~~B.C.~~ **Temporary** - Any employee who is hired for a special project or period of time and works fewer than 12 months or less than 1,560 hours, in any fiscal year. Temporary employees are not eligible for benefits as described in Section 4, except for ~~optional benefits on a case-by-case basis and~~ participation in the New York State Employees' Retirement System and those benefits that are statutorily required. Temporary employees receive workers' compensation as mandated by law. Temporary employees working a minimum of 20 hours per week receive short-term disability coverage.
- ~~C.D.~~ **Workers provided by a third-party contractor, or a consultant who is retained as an independent contractor** by the Authority, are not covered under these Personnel Policies.

II. Orientation Period

- A. Newly hired employees will have a 180 calendar-day orientation period. The orientation period provides both the employee and the Authority an opportunity to get to know one another. At the end of the period, the employee will receive a review by their supervisor.
- B. Successful completion of the orientation period should not be construed as creating a contract guaranteeing any special privileges.

III. Basic Work Week

- A. Each work week begins Sunday and ends Saturday midnight, and is considered individually. Work schedules are as established by management. Standard work days can be changed from time to time by management to meet changing operating requirements.

IV. Base Salary

- A. Base salary is compensation regularly paid to each employee as remuneration for work performed. Base salary does not include overtime pay.

V. Employee Status and Overtime Pay

- A. Exempt employees are those employees whose duties meet the standards for exemption from the U.S. Fair Labor Standards Act (FLSA), the New York Labor Law and the implementing regulations, including the exemptions for executive (managerial and supervisory), administrative, and professional employees, and computer-related occupations. Exempt

employees do not receive overtime compensation for hours worked in excess of 40 hours in a work week.

1. Special rules apply to Public Agency employees. An exempt employee of a public agency may have their pay reduced or may be placed on unpaid leave for absences due to personal reasons of less than one full day when leave is not used by the employee because:
 - a. Permission to use leave has not been sought or permission has been sought and denied;
 - b. The employee's accrued leave has been exhausted; or
 - c. The employee chooses to use leave without pay;

Provided that the employee is paid according to a pay system established by statute, ordinance or regulation or by a policy or practice established pursuant to the principles of public accountability, under which the employee accrues personal leave and sick leave and which requires the public agency employee's pay to be reduced for such absences.

- B. Non-Exempt employees are those employees covered by the minimum wage and overtime provisions of the Fair Labor Standards Act (FLSA) and the New York Labor Law, and include all non-salaried (hourly) workers. Non-exempt employees who work more than 40-hours in a work week will receive compensation at the rate of 1 and ½ times their regular hourly rate for all hours worked in excess of 40 in a work week.
 1. Overtime hours should be approved in advance by the Division Director or Supervisor.
 2. Solely for overtime pay purposes, hours worked include designated holidays, vacation, personal, and sick leave hours.
- C. Employees will be informed of their status at the time of hire and when a change occurs due to a promotion or transfer.

VI. Call-In Pay

A Full-Time, hourly employee who is called in to work outside of their scheduled work hours will be guaranteed a minimum of two (2) hours pay.

~~Any regular, full-time, permanent, hourly employee who is called in to work unscheduled hours shall be paid a minimum of two (2) hours pay.~~

VII. On-Call Pay

~~Any regular, full-time, permanent, hourly employee~~ A Full-Time employee, in a pay grade less than 18 who is scheduled to be on-call will receive a ~~weekly~~ stipend for the duration of the on-call period. The amount of the stipend will be determined by the Authority and reviewed on an annual basis.

3.2 Longevity Incentive Pay

~~Any regular, full-time, hourly or salaried employee shall be~~ Full-Time employees are eligible for a single one-time, non-recurring payment upon reaching five, ten, fifteen, twenty and twenty-five years of continuous service with the Authority. The amount of the longevity incentive is as follows:

Years of Service	Dollar Amount
5	\$500
10	\$1,000
15	\$1,500

20	\$2,000
25	\$2,000

The payment will be issued on the next payday following the employee's anniversary date with the Authority ~~and or the next payday, as determined by the Finance department. This payment is a one time payment, non-recurring amount and~~ is not included in the employee's annual salary. The Executive Director reserves the right to withhold the payment for reasons related to performance or just cause.

3.3 Salary Administration Policy

I. Job Description

- A. Each position has a written job description. Employees will sign a copy of their job description at time of hire, and again if there are any significant changes to their position, or due to a promotion or transfer.

II. Salaries and Wages

- A. Newly hired employees will start at a competitive rate commensurate with their job function and experience.
- B. Salaries and wages will be reviewed periodically to determine overall competitiveness. Reviews will compare the Authority's salaries with available resources such as private industry, state, county, and city salary ranges for similar job descriptions.

III. Performance Reviews

To ensure that you perform your job to the best of your abilities, it is important that you are recognized for good performance and that you receive appropriate suggestions for improvement when necessary. Consistent with this goal, your performance will be evaluated by your supervisor on an ongoing basis. Such evaluations will normally occur at the completion of the Orientation Period, and on a quarterly-periodic basis thereafter.

An annual review will occur during the fourth quarter of each fiscal year and will be based on your overall performance from January to December of the previous calendar year. Your annual review will become the basis for annual wage adjustments. Your supervisor will notify you of the schedule each year for completion of your annual review.

If you are promoted or transferred to a new position; your job performance may be evaluated after you have been in your new job for ninety days.

All performance reviews will be based on your overall performance in relation to your goals, job responsibilities, and will also take into account your conduct, demeanor, and record of attendance. Special written performance reviews may be conducted by your supervisor at any time to advise you of the existence of performance problems. Completed performance reviews will be maintained in a confidential employee file in the Authority's HRIS software system.

IV. Annual Adjustment Pool

An annual adjustment pool system has been established for all employees. Each fiscal year, prior to April 1, the pool shall be reviewed by management and the Board of Directors to determine if an annual adjustment should be implemented based on cost of living, wage comparability and other factors. Any such adjustments will be made as part of the annual budget adoption process. The total of all pay adjustments shall not exceed the pool established in a given year.

On the first pay period on or after April 1 of each year, all employees may be eligible for a pay adjustment subject to the following conditions:

- A. The employee must have worked for six (6) months in a full-time capacity.
- B. The employee must have a satisfactory performance review for the current rating period.
- C. Individual performance is a key criterion in determining increases in an employee's pay.

The Executive Director shall approve all pay increases.

V. Executive Director's Compensation

The Governance Committee of the Board of Directors recommends modifications to the Executive Director's compensation. The Board of Directors then reviews, approves or denies the recommendation on an annual basis. The Executive Director's compensation may be subject to an employment contract.

VI. Promotions, Change of Title and Organizational Changes

- A. The Executive Director submits to the Governance Committee and/or Finance and Budget Committee recommendations with supporting documentation, if required by the Authority's By-Laws.
- B. Upon Committee approval, recommended action(s) are submitted to the Board for approval, if required.
- C. When an employee is promoted to a new position, their pay increase will be determined based on several factors, including:
 - a. The relationship of their new pay rate to the pay rates of subordinates (if applicable).
 - b. The alignment of their salary with the minimum range for the new position.
 - c. The potential loss of overtime eligibility (if applicable).
- ~~C. When a regular, full time, hourly employee is promoted to a new position, they will advance to a pay rate that is equal to or greater than the rate in the previous position.~~

VII. Salary Advances

Employee salary advances are not permitted.

VIII. Employee Garnishments

The Authority complies with employee wage garnishment and levy notices, which will have no impact on employment.

3.4 Employee Payroll

- I. The Authority requests all newly hired employees to enroll in direct deposit for payroll purposes. The Authority will provide pay statements by email each payroll period.

SECTION 4 – BENEFITS

4.1 Benefit Policies

Benefit policies are established for the health and welfare of Authority employees. ~~All regular employees receive benefits. Some benefits are the same for all employees. Some are accrued based upon hours worked or length of service.~~

This Section contains a brief description of the various benefits provided to eligible employees by the Authority. For the actual descriptions of the benefits available, reference must be made to the individual benefit plans. Where benefits are governed by formal plan documents or master policies, the exact terms of the plans or policies will govern. The Authority has discretionary authority to construe all benefit plans and policies and the provisions of this Personnel Policy, including discretionary authority to interpret any disputed provisions and to resolve all issues that arise under such plans and policies.

The Authority has no plans at this time to discontinue its current benefit plans and policies. However, the Authority expressly reserves the unqualified right, by action of the Board of Directors, to modify, amend or terminate any plan or policy at any time and for any reason, including changes that may increase the contributions required for employees and/or retired employees for a benefit beyond the levels stated in this Personnel Policy and/or the benefit plans and policies.

Retirement does not confer upon any person any irrevocable right to continued benefits under any Plan or policy of the Authority. The Authority makes no promise to continue any particular benefits in the future and rights to future benefits do not vest.

4.2 Medical Insurance

- I. Authority Employees

The Authority currently provides medical insurance plans to eligible Full-Time Authority employees and their spouses and dependent children (collectively, "dependents"), or as required by law. Effective January 1, 2016, employees will continue to contribute a fixed amount of employee contribution as established annually by the Governance Committee of the Authority Board.

- II. Health Insurance Stipend

An employee who is eligible for Authority provided medical coverage who has medical insurance coverage from another qualified source may opt NOT to participate in the Authority's medical insurance plan and is eligible to receive a cash stipend upon providing proof of such qualified alternative medical coverage. The amount of the stipend will be established annually by the Governance Committee of the Authority Board and is paid bi-weekly over the course of the year as part of the employee taxable compensation. The stipend will stop if the employee chooses to enroll in the Authority's medical insurance plan part way through the year, (assuming this enrollment is permitted by the medical insurance plan).

III. Retirees

A retiring employee may choose to continue medical coverage if they are employed by the Authority at the time of retirement, are at least 55 years of age, and meet one of the following conditions: 1) employees who have retired prior to April 1, 2008, must have a minimum of ten (10) years of service; 2) current active employees hired prior to April 1, 2008, must have a minimum of fifteen (15) years of service; 3) employees hired after April 1, 2008, must have a minimum of twenty (20) years of service. When the retiree reaches age 65, Medicare will provide primary coverage, except as otherwise required by law. The Authority may elect to provide an alternative supplemental insurance plan.

Effective January 1, 2016, the rate of retired employees' individual coverage contributions will be established as a fixed amount of contribution as established by the Governance Committee of the Authority Board. If retiree/spouse, retiree/child(ren) or family coverage is elected instead, the Authority will pay for such costs up to the dollar amount provided for individual coverage.

A retiring employee must be a member of the Authority's health insurance plan to continue coverage. If an employee is participating in the "stipend medical insurance alternative", the employee must enroll in the Authority's health insurance plan during the enrollment period prior to the anticipated year of retirement.

If a retired employee does not satisfy the requirements, medical coverage for both the retired employee and any dependents who had medical coverage will terminate at retirement. Both the retired employee and dependents will have the right to continue coverage for a period of time at their own expense under the "COBRA" rules.

IV. Consolidated Omnibus Budget Reconciliation Act (COBRA)

The Consolidated Omnibus Budget Reconciliation Act of 1986, as amended ("COBRA"), requires that previously covered employees and dependents who are considered "qualified beneficiaries" have the opportunity to elect continuing coverage under the medical plan for a specified period, at their own expense, when coverage would otherwise end due to an employee's termination of employment (or reduction in hours of employment). In addition, dependents that are qualified beneficiaries have the right to elect COBRA coverage upon the occurrence of certain other events that are "qualifying events" under the COBRA rules.

4.3 Retirement Plans

At the time of employment, all Authority employees have the option to enter in to the New York State Employee's Retirement System (ERS), or the New York State Voluntary Defined Contribution (VDC) Program (as applicable).

Option 1: New York State Employee's Retirement System (ERS) / Defined Benefit Plan

The Authority participates in the New York State Employees' Retirement System (ERS). In addition, the Authority has elected to provide additional credit toward retirement through an Allowance for Unused Sick Leave [RSSL Sec. 41(j)]. Participation by Authority employees is required under Article 15 of the Retirement and Social Security Law of New York State. For purposes of calculating days worked for an employee's retirement, NYSLR requires the Authority to first establish the number of hours that constitutes a standard work day for each Authority position. Appendix B lists the standard workday by position title. For more information, go to <https://www.osc.ny.gov/retirement>.

Option 2: New York State Voluntary Defined Contribution (VDC) Program

The Authority participates in the New York State Voluntary Defined Contribution (VDC) Program. This retirement option will be made available to all unrepresented employees of NYS public employers who are paid at a rate of \$75,000 or more on an annual basis as an alternative to the Employees' Retirement System (ERS) defined benefit plan system, at time of hire. Transferring State employees whose immediately preceding employment was with another department, division, or agency of the State are not eligible for the VDC retirement option and must remain with their current retirement system. For more information about the VDC Program, go to <https://www.tiaa.org/public/ms/nyvdc/employee>.

4.4 New York State Deferred Compensation Plan (Optional Participation)

The Authority participates in this optional plan. The New York State Deferred Compensation Plan provides employees with additional retirement savings and investment opportunities. Contributions to the Deferred Compensation Plan can be on an after-tax or a pre-tax basis. For more information, go to <https://www.nysdcp.com/rsc-web-preauth/index.html>.

4.5 Section 125 Flexible Benefits Plan (Optional Participation)

The Authority participates in this optional plan, which allows each Full-Time employee to establish a pre-tax account to fund: (1) existing medical insurance employee contributions, and a (2) Flexible Spending Account (FSA) to pay qualifying health care and dependent care expenses. Information on the Section 125 Plan is distributed to each employee.

4.6 Other Benefits

The Authority may provide additional benefits, fully paid for by an employee and at no cost to the Authority (e.g., dental coverage, vision coverage, etc.).

4.7 Sick Leave

Sick leave is provided for the benefit of Authority Full-Time employees. Leave time to care for self, dependents, or family members may be from accrued sick time, personal time, and vacation time. Family Medical Leave (FML) will run concurrently, if applicable as provided for in Section 4.10.

Employees accrue sick leave at the rate of 3.08 hours per pay period or an equivalent of ten (10) workdays per year.

- Sick accrual is based upon hire date; accrual begins on the hire date.
- Maximum accrual cannot exceed 200 days or 1600 hours.
- The Executive Director is authorized to modify the applicable accruals and accrual rate for the purposes of recruitment and retention of personnel, or other extenuating circumstances.

Employees must notify their manager of an absence due to sickness within two (2) hours of the start of that workday. Failure to properly notify the Authority will result in absence without leave, and may result in pay being reduced accordingly.

Employees who have been on sick leave for three (3) or more consecutive workdays may be requested to provide a medical certificate.

Accrued unused sick leave is not payable upon resignation, retirement, death or other termination of employment. The Authority has elected to provide additional credit toward retirement through an Allowance for Unused Sick Leave [RSSL Sec. 41(j)]. Up to 165 sick days may be so applied for Tiers 1

through 5, and 100 sick days for Tier 6.

4.8 Workers Compensation

Any Authority ~~Employee~~s suffering an injury or illness while on the job are eligible for Workers' Compensation benefits in accordance with New York State law. All payments made by the Authority's insurance carrier for wage reimbursements will be received at the Administrative Office of the NYS Insurance Fund and forwarded to the employee.

The day of occurrence (Day 0) of the injury or illness, where the employee is required to obtain medical attention, will be considered a full day of regular employment at the employee's usual wage rate. Time lost due to the injury or illness on the day of occurrence will not be charged against accrued sick time.

For the next seven calendar days (Days 1-7), the employee may utilize accrued time off for the number of regularly scheduled hours of work lost due to the injury or illness. The employee may not claim time off in excess of the amount accrued.

After seven calendar days, Workers' Compensation benefits become payable to the employee. The employee will not receive compensation from the Authority while eligible for such benefits.

For injuries or illnesses requiring the employee to remain away from work for more than fifteen calendar days, Workers' Compensation will begin to pay benefits for wages during the first seven calendar days. Such retroactive benefits will be returned to the Authority by the employee. In return, the Authority will reinstate the employee's accrued time off on a prorated basis.

Employees will continue to accrue vacation and sick time during the first seven calendar days of time lost due to injury or illness, if utilizing accrued time off during such period. Accrual of paid leave will terminate on the eighth calendar day and will be resumed upon the employee's return to work.

For purposes of retirement, the employee will not be considered to be on the Authority payroll while receiving Workers' Compensation benefits. During that time, no contributions will be made on behalf of the employee nor will time of service be credited.

Family and Medical Leave (FML) will run concurrently when an employee is out of work on Workers' Compensation as provided for in Section 4.10. Alternative or limited duty may be provided by the Authority, as available and/or appropriate, to employees able to return to work on such a basis.

4.9 Short Term Disability

Short-Term Disability benefits provide partial insurance protection to an employee in the event of a non-job-related injury or illness that prevents any Authority ~~the~~ employee from working. The absence from work must be for more than 8 work days to be eligible for coverage. The Short-Term Disability benefit is a maximum of 60% of base weekly income for up to 25 weeks. The Authority provides this Short-Term Disability benefit to employees (at no cost to the employee) who work a minimum of 20-hours per week. If an employee becomes disabled, the employee will receive full pay through available accrued sick leave for the first 8 days of disability. In addition, after the first 8 work days, employees will may elect to receive full pay to the extent that the employee's accrued sick leave covers the un-insured portion of the employee's weekly pay. Sick time will not be paid beyond the maximum 25 weeks disability benefit period. Family Medical Leave (FML) will run concurrent as provided for in Section 4.10.

4.10 Family and Medical Leave Act (FMLA)

The Authority is subject to the provisions of the Family Medical Leave (FML) Act. The FML provides for unpaid leave, and it runs concurrent with Workers' Compensation and Short-Term Disability, or if an employee chooses to use their accrued unused time off balances in place of Short-Term Disability payments. For an employee to be eligible for FML, they must have been employed by the Authority for at least 12 months and have worked at least 1,250 hours within that 12-month period.

An eligible employee's FML is limited to 12 weeks in a rolling calendar year of unpaid leave, for one or more of the following reasons:

- the birth of the employee's son or daughter, and to care for the newborn;
- the placement with the employee of a son or daughter for adoption or foster care, and to care for the newly placed child;
- to care for the employee's spouse, son, daughter, or parent with a serious health condition; because of a serious health condition that makes the employee unable to perform one or more of the essential functions of his or her job.
- Military Family Leave Entitlements

Military Caregiver Leave – An eligible employee who is a spouse, son, daughter, parent, or next of kin of a covered service member with a serious injury or illness may take up to a total of 26 weeks of unpaid leave during a single 12-month period to care for the covered service member. A covered service member is a current member of the Armed Forces, including a member of the National Guard or Reserves, who has a serious injury or illness incurred in the line of duty on active duty that may render the service member medically unfit to perform his or her duties for which the service member is undergoing medical treatment, recuperation, or therapy; or is in outpatient status; or is on the temporary disability retired list.

Qualifying Exigency Leave – An eligible employee with a spouse, son, daughter, or parent on active duty or call to active-duty status in the National Guard or Reserves in support of a contingency operation may use their 12-week leave entitlement to address certain qualifying exigencies. Qualifying exigencies may include attending certain military events, arranging for alternative childcare, addressing certain financial and legal arrangements, attending certain counseling sessions, and attending post-deployment reintegration briefings.

Broader Definition of Spouse - Legally married, same-sex couples are ensured to have the same rights under federal law as legally married opposite sex couples. An employee in a legal same-sex marriage will be entitled to use FML leave:

- to care for a same-sex spouse with a serious health condition;
- to care for a stepchild who is the child of a same-sex spouse;
- to care for a stepparent who is the same-sex spouse of the employee's parent;
- due to a qualifying exigency related to the same-sex spouse's covered military service; or
- to care for a covered service member who is a same-sex spouse.

An employee must provide the Authority with at least 30 days advance notice before FML leave is to begin. If 30 days' notice is not practical, because of circumstances such as a medical emergency, notice must be given as soon as possible. The Authority requires written notice, with details, prior to the FML leave as specified on the FMLA Form prior to the leave. For more information or to obtain a FMLA Form, contact the Human Resources Department.

An employee on FML does not continue to accrue benefits while in an inactive work status (retirement credit, vacation and sick time benefit accruals) during the leave period.

The Authority will pay the employee's insurance premiums for elected health, dental and vision insurances for up to 12 weeks of inactive status. Then, upon return to work, the employee will reimburse the Authority by:

- Sending a check made out to the Development Authority of the North Country for the total amount due, or
- Payroll deductions, within 6-pay periods, for the total amount due.

After 12 weeks of inactive status, the inactive employee and their covered dependents may elect to continue their health, dental and vision coverage under COBRA.

If the employee does not return to work in active status, they will be responsible for the Employer and employee portion of the health, dental and vision premiums paid on their behalf during the LOA. In addition, the employee will be responsible for the premiums paid on behalf of the employee for any voluntary benefit, if applicable.

If the employee was receiving a health insurance stipend before they were on a leave of absence, the Authority will continue to reimburse an employee the health insurance stipend, biweekly, for up to 12 weeks. If the employee is in an inactive work status 61 or more-work days, the health insurance stipend will end.

Employees returning from FML leave may be restored to, but are not guaranteed, the same position. Returning employees must be restored to an "equivalent position with equivalent benefits, pay, and other terms and conditions of employment," per Section 104(a) (13) of the Family and Medical Leave Act. For more information, contact the Human Resources department.

4.11 Holidays

Holiday schedules are established on an annual basis and will be posted by Management. Depending on individual requirements, operating departments may have different schedules.

If a holiday falls on a Saturday or Sunday, the Authority holiday is observed on the workday closest to the actual holiday.

4.12 Personal Days

All-regularFull-Time employees are eligible for two (2) paid personal days per fiscal year. New employees hired after the start of the fiscal year will receive credit for personal days prorated for the time remaining in the fiscal year. These days may be taken at the convenience of the employee and the Authority for such occasions as religious observances, birthdays or personal business. Personal days may not be carried over to the next fiscal year.

4.13 Vacations

- I. The Authority provides annual paid vacation to eligibleFull-Time employees and it is administered and scheduled on a fiscal year basis (April 1 – March 31) to meet the requirements of the Authority and, whenever possible, the convenience of the employee.
- II. Vacations are scheduled with consideration of other employees' requests. If a conflict in scheduling occurs, the employee with the longest continuous service with the Authority has first choice.
- III. Vacation accrual is based upon hire date and length of service; accrual begins on the hire date.
- IV. Eligible employees accrue vacation at the following rates:

Hire date through completion of 5 years of service - accrual rate 4.62 hours per pay period, equivalent to 3 work weeks per year.

5 years through completion of 10 years of service - accrual rate 5.38 hours per pay period, equivalent to 3.5 work weeks per year.

10 years through completion of 15 years of service - accrual rate 6.15 hours per pay period, equivalent to 4 work weeks per year.

15 years through completion of 20 years of service – accrual rate 6.92 hours per pay period, equivalent to 4.5 work weeks per year.

20 or more years of service – accrual rate 7.69 hours per pay period, equivalent to 5 work weeks per year.

The Executive Director is authorized to modify the applicable accruals and accrual rates for the purposes of recruitment and retention of personnel, or other extenuating circumstances.

- A. Employees may accumulate unused vacation up to a maximum of one- and one-half times (1 and 1/2) the annual entitlement at fiscal year-end (March 31st) as long as all other provisions of the vacation policy are met.
- B. Employees are not permitted to take paid vacation in excess of hours accrued.
- C. Eligible employees will be paid at the then effective rate for any unused accrued vacation (up to 1½ times the annual entitlement) upon resignation, retirement, death, or other termination of employment.
- D. Accrued vacation paid upon termination may not be used to extend length of service beyond the last day worked.

4.14 Excused Leave for Cancer Screenings

Pursuant to New York State Civil Service Law Section 159-b, effective March 18, 2018, all Authority employees are entitled to take up to a maximum of four (4) hours of paid leave per fiscal year for any type of cancer screening without deducting from any other leave time (i.e., sick, personal, or vacation).

4.15 Bereavement, Jury Duty, and Military Leave

Bereavement:

If a death occurs in an employee's or their spouse's immediate family, defined as mother/stepmother, father/stepfather, legal guardian, brother/stepbrother, sister/stepsister, grandparent, spouse, or child/stepchild, the employee may be granted bereavement leave with pay for up to five (5) days.

Up to one (3) days of paid bereavement leave, may be granted for the death of other relatives (e.g.: aunts, uncles, and cousins.) –The same bereavement time applies to employees in a committed domestic partner relationship or same-sex domestic partner relationship.

Bereavement leave is intended to allow employees time to attend services or manage related responsibilities. Requests for leave should be submitted promptly for approval.

Jury Duty:

Any employee required to serve jury duty will receive an equivalent of their full pay for the days absent from work. It is the responsibility of the employee to provide proper documentation as proof of service. Such documentation will be placed in the confidential employee file.

Military:

Leaves of absence for military or Reserve duty are granted to **regular and parttime regular-all** employees in accordance with applicable federal and state laws. Employees are not required to use paid time off before taking unpaid Military leave.

4.16 Leave of Absence

A Leave of Absence (LOA) without pay from active employment at the Authority may be granted, at the sole determination of the Executive Director. Prior written approval must be obtained from the Executive Director, except in emergencies. Employees will submit a written request for a LOA to their immediate supervisor at least two (2) weeks in advance. All paid time off must be used before any time will be granted unpaid.

- I. If the Leave of Absence (LOA) is not Family Medical Leave (FML) protected time away from work, and extends for a period of less than eight (8) weeks, the employee will be returned to the same job at the same rate of pay. If the LOA extends for more than eight (8) weeks, the employee will generally be eligible for the first suitable opening for which the employee is qualified.
- II. Employees must use all of their accrued time and the remaining time will be unpaid. The employee does not continue to accrue vacation and sick leave benefits, and retirement payments will cease.
- III. If the Leave of Absence (LOA) is not Family Medical Leave (FML) protected time away from work, ~~if~~ the Authority will continue to make contributions on behalf of the employee for their elected health, dental, vision and disability insurances for up to eight (8) weeks of inactive status, and the employee is overall responsible for paying their employee insurance premiums while they are out of work on the Leave of Absence (LOA). The employee insurance premium payback can be done in either one of two ways: The employee may pay the Authority while they are out of work on a monthly basis. Or, pay the total amount due in full within 6 pay periods upon their return from the LOA. After eight (8) weeks of inactive status, the inactive employee and their covered dependents may elect to continue their health, dental and vision coverage under COBRA.
- IV. If the employee does not return to work in active status, they will be responsible for the Employer and employee portion of the health, dental and vision premiums paid on their behalf during the LOA. In addition, the employee will be responsible for the premiums paid on behalf of the employee for any voluntary benefit, if applicable.
- V. If the employee was receiving a health insurance stipend before they were on a leave of absence, the Authority will continue to reimburse an employee the health insurance stipend, biweekly, for up to eight (8) weeks. If the employee is in an inactive work status after eight (8) weeks, the health insurance stipend will end.

4.17 Return to Work / Inability to Return to Work Procedure

The Authority strives to assist employees to return to work at the earliest possible date following an injury or illness when the Authority has work that the employee can perform safely given any medical restrictions. A return-to-work program has several benefits for both the Authority and our employees by minimizing time lost from work. For more information, call Human Resources.

SECTION 5 - TRAINING AND DEVELOPMENT

5.1 Training and Development Policies

- I. The Authority provides an onboarding session for new employees to acquaint them with the terms and benefits of their employment and with their role and responsibilities as an employee of the Authority.
- II. Training and development policies are established to aid an employee in improving performance and productivity in their current position. The Authority supports training and development as a long-term strategy for improving organizational effectiveness.
- III. It is the intent of the Authority that for a period of 24 months from the completion of a college course leading to a degree, or a training program leading to a professional license, for which tuition assistance is provided, the Authority may recover the cost of such training from the employee if the employee chooses to leave the Authority.

5.2 Tuition Reimbursement

- I. Training and Development
 - A. The Authority will sponsor employees in external programs, non-college programs, workshops and seminars when the training provides a direct benefit to their job function and is required by the Authority.
 - B. All fees will be 100% paid for by the Authority, including related travel, consistent with Authority Travel and Miscellaneous Expense Policy.
 - C. Specific approval of the Executive Director is required prior to enrollment.
- II. Continuing Education
 - A. The Authority will reimburse eligible employees for the cost of tuition and books for college credits, non-credits, and credential related individual courses or courses that have been approved by the Executive Director.
 - B. The course or program must be work related or be a required part of degree requirements, and must be offered by an accredited institution of learning.
 - C. The employee must pay for tuition and books and submit a request for reimbursement at the end of each term.
 - D. The employee will be reimbursed as follows:
 - 100% of tuition and books for achieving an A-, A or A+
 - 90% of tuition and books for achieving a B-, B or B+
 - 80% of tuition and books for achieving a C-, C or C+
 - No reimbursement will occur if the grade is "D" or lower.
 - E. The reimbursement of tuition shall not exceed the established rates for the graduate and undergraduate levels of the State University of New York tuition schedule.
 - F. In special situations, at the discretion of the Executive Director, the Authority may pay for tuition, in advance, if the course is directly related to job performance and productivity.

- G. Any employee receiving continuing education reimbursement shall enter into an agreement for a mandatory continued employment or payback schedule established as per the policy Continuing Education Assistance Program.
- H. Only regular employees with one year or more of service are eligible for tuition reimbursement, unless specifically authorized by the Executive Director.

SECTION 6 - EMPLOYEE TRAVEL AND MISCELLANEOUS EXPENSES

- I. The Authority’s Travel and Miscellaneous Expense Policy is contained in a separate document. The purpose of the policy is to provide for reimbursement of allowable travel expenses incurred when business is conducted away from the employee’s assigned location and for reimbursement of certain other expenses.
- II. The policy applies to the Board of Directors and employees of the Authority.
- III. Refer to the Travel and Miscellaneous Expense Policy for detailed guidance.

SECTION 7 – RECORD OF REVISIONS

Revision Date:	Resolution No./Notes:
May 3, 2016	No Resolution Required (Section 3. B. 9. a. "requests" replaces "requires")
March 23, 2017	2017-03-25
February 22, 2018	2018-02-02
March 28, 2018	2018-03-32
December 20, 2018	2018-12-123
March 28, 2019	2019-03-32
May 16, 2019	2019-05-49 (recalculation/financial payroll & human resources reporting)
March 26, 2020	2020-03-27
August 27, 2020	2020-08-106 (Update Organizational Chart)
March 25, 2021	2021-03-56 (Update Appendix A-D)
March 24, 2022	2022-02-24
October 27, 2022	2022-10-76
March 23, 2023	2023-03-19(Added References and Background Checks, Revised Appendix A, added B)
March 28, 2024	2024-03-23 (Added: Special Rules Applicable to Public Agency, NYS Voluntary Defined Contribution (VDC). Updated: Section 4.15 Personal Leave of Absence, Appendix A (Organizational Chart) and Appendix B (Standard Work Day)
March 27, 2025	2025-03-20

PERSONNEL POLICY ACKNOWLEDGEMENT FORM

This Personnel Policy, dated March 27, 2025, is not a contract guaranteeing employment, and nothing in it, or any other policy or communication, changes the fact that employment with the Development Authority of the North Country is at-will. At-will employment means you can leave the Development Authority at any time, and the Development Authority can terminate your employment at any time, for any reason.

By signing this acknowledgment form, you confirm understanding and acknowledge the contents in the Authority's Personnel Policy. You further understand that the Personnel Policy can be found on the Authority's website at www.danc.org. Furthermore, you acknowledge you can ask your direct supervisor, human resources or the Executive Director, at any time, about the contents within the Personnel Policy.

The undersigned acknowledges the above statement:

Employee Name:

Date:

APPENDIX A – ORGANIZATION CHART



APPENDIX B – STANDARD WORK DAY

Job Title	Standard Work Day	Job Title	Standard Work Day
Accounting Associate	8.0 Hours	Human Resources Specialist	8.0 Hours
Administrative Associate - ADMIN	8.0 Hours	IT Systems Analyst	8.0 Hours
Administrative Specialist - Operations	8.0 Hours	IT Technician	8.0 Hours
Administrative Supervisor	8.0 Hours	Landfill Superintendent	8.0 Hours
Assistant Director of Engineering	8.0 Hours	MMF - Equipment Operator CDL-A	8.0 Hours
Assistant Director of Telecom	8.0 Hours	MMF - Equipment Operator CDL-B	8.0 Hours
Assistant Director of Water Quality Management	8.0 Hours	MMF Lead Maintenance Technician	8.0 Hours
Assistant Landfill Superintendent	8.0 Hours	MMF Maintenance Technician	8.0 Hours
Chief Financial Officer	8.0 Hours	MMF Maintenance Technician Assistant	8.0 Hours
Chief Operating Officer	8.0 Hours	Network Engineer	8.0 Hours
Comptroller	8.0 Hours	Network Technician	8.0 Hours
Controls Engineer	8.0 Hours	NEXT MOVE NY Program Administrator	8.0 Hours
Controls Engineer II	8.0 Hours	NEXT MOVE NY Program Manager	8.0 Hours
Customer Service Coordinator	8.0 Hours	NEXT MOVE NY Regional Business Liaison	8.0 Hours
Deputy Comptroller	8.0 Hours	Optical Network Engineer	8.0 Hours
Director of Engineering	8.0 Hours	Outside Plant Engineer	8.0 Hours
Director of Human Resources	8.0 Hours	Outside Plant Engineer II	8.0 Hours
Director of Information Technology	8.0 Hours	Procurement Coordinator	8.0 Hours
Director of Materials Management	8.0 Hours	Project Development Specialist	8.0 Hours
Director of Network Engineering	8.0 Hours	Project Engineer	8.0 Hours
Director of Public Affairs and Communications	8.0 Hours	Project Engineer II	8.0 Hours
Director of Regional Development	8.0 Hours	Recycling Coordinator	8.0 Hours
Director of Service Delivery	8.0 Hours	Safety & Environmental Technician I	8.0 Hours
Director of Telecommunications	8.0 Hours	Senior Accountant	8.0 Hours
Director of Water Quality Management	8.0 Hours	Senior Project Development Specialist	8.0 Hours
Environmental Health & Safety Engineer	8.0 Hours	Supervisor of Outside Plant Engineering & Construction	8.0 Hours
Environmental Specialist	8.0 Hours	Telecom Business Development Manager	8.0 Hours
Environmental Technician I	8.0 Hours	Water Quality Coordinator	8.0 Hours
Executive Assistant	8.0 Hours	Water Quality Operator	8.0 Hours
Executive Director	8.0 Hours	Water Quality Senior Operator	8.0 Hours
GIS Analyst	8.0 Hours	Water Quality Supervisor	8.0 Hours
GIS Intern	8.0 Hours	Water Quality Supervisor II	8.0 Hours
GIS Supervisor	8.0 Hours	Water Quality Technician	8.0 Hours



Board Resolution No. 2025-03-21
March 27, 2025

APPROVING MODIFICATIONS TO FLEET MANAGEMENT POLICY

Whereas, the Development Authority of the North Country operates according to Board policies and administrative guidelines as may be amended from time to time, and

Whereas, the Fleet Management Policy of the Development Authority of the North Country is posted on the Development Authority's website, and

Whereas, executive management has reviewed and recommends modification as reflected in the attached Fleet Management Policy. Substantive changes to the Policy are as follows:

6.1 (XXIII) "Vehicle Use" – added the requirement that Authority owned vehicles will be equipped with a GPS unit and forward-facing camera.

6.1 (XXIV) "Vehicle Use" – added the requirement that Authority employees receiving cell phone reimbursement connect their cell phone to the GPS unit when driving fleet vehicles not directly assigned to them.

10.1 "Operator Responsibility" – added language requiring that drivers complete a pre-use check of the vehicle and report any damage to their supervisor.

Now, therefore be it

RESOLVED, that the Development Authority of the North Country does hereby approve the Fleet Management Policy, attached hereto and incorporated in this Resolution.

Motion by: E. Virkler
Seconded by: M. Hall

Voting:

Bibbins – **Yes***

Doheny – **Yes**

Hall – **Yes**

Hefferon – **Yes**

MacKinnon - **Yes**

Mastascusa -**Yes**

Murray – **Yes***

Virkler – **Yes**

Non-Voting:

Henry – **Present**

Hunt – **Present**

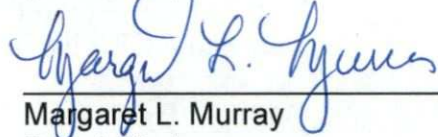
McGrath – **Present***

* - indicates attendance via videoconference.

* - indicates voting member attending using audio only, unable to vote.

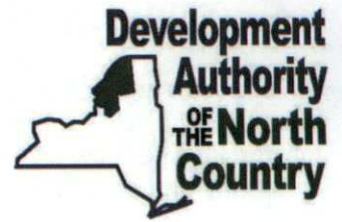
DEVELOPMENT AUTHORITY OF THE NORTH COUNTRY

I, the undersigned, Chairperson of the Board of Directors of the Development Authority of the North Country, do hereby certify that I have compared the foregoing copy of Resolution No. 2025-03-21 of the Development Authority of the North Country with the original adopted by the Development Authority of the North Country at a meeting of said Authority on the 27th day of March, 2025, and that same is a true and correct copy of such resolution. In testimony whereof, I have hereto set my hand this 27th day of March, 2025.



Margaret L. Murray
Board Chairperson

Development Authority of the North Country



Subject: Fleet Management Policy
Adopted: 03-27-2025
Resolution: 2025-03-21

FLEET MANAGEMENT POLICY

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SECTION 1.0 SUMMARY

This document establishes the Development Authority of the North Country's policy for the acquisition, maintenance, acceptable use and designation of Authority light duty, over-the-road vehicles, including cars, pick-up trucks and SUV's. This policy shall apply to all Authority employees authorized by the Authority to use company and personal vehicles for business use.

SECTION 2.0 PURPOSE & BACKGROUND

The purpose of this policy is to establish criteria and procedures for the acquisition, maintenance, acceptable use and designation of Authority owned or leased vehicles. Use of the vehicle is a benefit granted by the Authority, subject to change at the direction of Authority management. This policy shall apply to all Authority employees authorized by the Authority to use vehicles, and establishes a single policy to guide vehicle management practices.

SECTION 3.0 FLEET MANAGER

A Fleet Manager will be designated by the Executive Director, and be responsible for the following:

- I. Evaluate and recommend all vehicle procurement actions to the Executive Director, and direct authorized procurements
- II. Review vehicle designations and use agreements
- III. Establish and implement maintenance procedures
- IV. Identify surplus vehicles for sale or disposition
- V. Maintain vehicle documentation, history and other records
- VI. Monitor direct and indirect fleet costs

SECTION 4.0 VEHICLE ACQUISITION

4.1 The acquisition, designation and use of vehicles shall be based on all available options for securing transportation. This should reflect the statewide policy objectives of using the most economical means of transportation, acquiring vehicles in a cost-effective manner, and becoming more energy efficient and environmentally aware in accordance with the Federal Energy Policy Act (EPAAct), NYS Executive Order No. 111 and NYS Executive Order No. 142.

- I. **Light Duty Vehicles:** The purchase or lease of light duty vehicles (Class I – compact/subcompact sedans) will be focused on obtaining the most fuel-efficient vehicles available on State Contract that will meet the operational needs of the users. When purchasing vehicles, the use of Discretionary MWBE will be considered providing that pricing is competitive with what can be obtained on State Contract. Non-State contract vehicles will be considered only when necessary. The purchase or lease of larger vehicles, small trucks and 4-wheel drive vehicles will be determined based on the following:
 - A. Service vehicle use requirements, if applicable
 - B. Significant off-road or undeveloped road travel in the course of job accomplishment
 - C. Significant winter time travel in areas that have high accumulations of snow
 - D. A significant need for towing and passenger carrying capability
 - E. Additional passenger and/or cargo room is required and/or other special circumstances apply

II. Acquisition Analysis: Most vehicle acquisitions made by the Authority will be for the replacement of existing assets, however new (additional) vehicles will be purchased by the Authority as required and pursuant to Board authorization.

A. Replacement Vehicles: Vehicles may be eligible for replacement based on the following factors:

1. **Age:** When a vehicle is ten or more years of age.
2. **Mileage:** When a vehicle has accumulated over 100,000 miles.
3. **Use:** Vehicles used primarily for on-road purposes may be replaced sooner than those used primarily for off-road purposes (i.e., landfill vehicles).
4. **Damage:** Vehicles that have been involved in an accident and damaged beyond repair.
5. **Deterioration:** Once a vehicle deteriorates to the extent that it is no longer economically repairable.
6. **Lease Expiration:** If applicable.

B. New (additional) Vehicles: New vehicles will be purchased only in support of new tasks. Prior to making any purchases of new vehicles, full consideration will be given to the ability to satisfy the new requirement via realignment of existing vehicles in the fleet.

C. Purchase Analysis: The Authority will adhere to its Procurement Policy for the acquisition of fleet vehicles. Authority staff shall consider NYS Contract pricing, MWBE Discretionary, etc. On a periodic basis, the Fleet Manager may consider the cost vs benefit of leasing vehicles; such review shall be conducted and documented as deemed appropriate. In most cases, unless other determining factors outweigh the cost vs. benefit, the lowest long-term cost option will be selected.

4.2 In all cases, written justification for replacement of new vehicles will be prepared using the Project Initiation Form (PIF). If the lowest long-term cost option will not be selected, a written justification detailing other determining factors will be included with the requisition. Such justification will be prepared by the Fleet Manager and approved by the Executive Director.

SECTION 5.0 VEHICLE DESIGNATION

5.1 The Executive Director shall not be assigned a permanent vehicle, but shall have unrestricted use of fleet vehicles.

5.2 Certain on-call response employees may be assigned long-term use of vehicles as authorized by the Executive Director. Such designations will be considered only to the extent that the primary work tasks for each of these employees is to service multiple Authority and customer facilities throughout the region, and provide emergency response thereto. All employees assigned a company vehicle must execute a Vehicle Use Agreement (attachment 1), an Imputed Income Statement (attachment 2) and Initial Inspection Form (attachment 3).

5.3 The Fleet Manager will review the use of all vehicles, including an analysis of underused vehicles, and will recommend adjustments in the designation of vehicles in order to maximize the useful life of the vehicles.

5.4 The taxable value of use of an employer provided non-exempt¹ vehicle is subject to income and Social Security/Medicare taxes and must be reported as income on an employee's W-2 Statement. The Authority will withhold Federal, State, Local, and Social Security/Medicare taxes as required. The amount is not considered salary for the purposes of computing retirement benefits. An employee provided with an Authority

¹ The Authority has no vehicles which are exempt under the Code at the time of this revision.

vehicle to drive to and from work for valid business reasons in accordance with this policy shall report the value of the personal use (commuting) for taxable purposes for the period from November through October for each year. The report shall be made by the employee completing and signing the appropriate Authority form (attachment 2). **All report forms must be submitted to the Finance Department no later than November 15th, or W-2 Statements will have to be held and corrected W-2 Statements reissued.**

An employee using an Authority vehicle is subject to taxation on the value of commuting when an employee leaves their house using an assigned company vehicle and reports to any location to perform work related duties. The trip from their house to the work location is one trip. The trip from a work location to home is another trip.

There are two methods contained in the Internal Revenue Code (Publication 15-B) to determine the taxable value of personal use of the Authority provided vehicle, but because Authority employees are prohibited from using the vehicle for personal purposes under this policy, they may only use one method, the "Commuting Rule," for reporting. The IRS determines the value of each one-way commute (or trip). This amount shall be adjusted per IRS guidelines as appropriate.

5.5 Motor Pool Vehicles: All other vehicles shall be considered motor pool vehicles. All drivers must comply with vehicle use guidelines and will sign a Vehicle Use Agreement (attachment 1). The Fleet Manager will review the use of all pool vehicles, including an analysis of underused vehicles, and will recommend and/or implement adjustments as required. ~~A Vehicle Manager at each location will be named for each motor pool vehicle to~~ Each Division Director or their designee will ensure compliance with these policies and effective utilization of assigned fleet, as well as. ~~The Vehicle Manager will~~ serve as the point of contact for the Fleet Manager.

5.6 Each year, as part of the annual budget process, the Fleet Manager working with Finance, will provide a detailed fleet spreadsheet to Division Directors and Executive Management. Such fleet spreadsheet will include: vehicle description (year, make, model), actual miles per vehicle, acquisitions and elimination of vehicles, number of alternative fuel vehicles in the fleet, number of vehicles with specialized alterations, Division, driver, and average miles driven. Subsequent to review with Directors, the Fleet Manager will make recommendations to Executive Management for acquisition or elimination of vehicles taking into consideration any underutilized vehicles. If a vehicle is leased externally, the lease expiration, lease number, monthly payment, vendor, and miles allowed by lease will be provided.

SECTION 6.0 VEHICLE USE

6.1 Vehicle Use Guidelines:

- I. All drivers must have a fully executed Vehicle Use Agreement (Attachment 1) on file with Human Resources; have a New York State driver license, and any necessary endorsements. A driver license must be current and not under suspension. If an employee's driver license is suspended or revoked, HR must be notified immediately.
- II. All employees receiving a traffic violation (moving or non-moving) while in a company vehicle must report the violation to their manager and HR. Employees in a personal vehicle, but on company time, who receive a moving violation must report the violation to their manager and HR.
- III. All employees utilizing their own personal vehicles for business related activities must maintain personal automobile liability insurance coverage.

- IV. Drivers must comply with all traffic laws and regulations and are liable for any penalties resulting from violating traffic laws and regulations that are caused or incurred by their operation of a vehicle (e.g., speeding or parking tickets).
- V. HR will obtain and review employee Motor Vehicle Records periodically to ensure compliance with Authority policy requirements.
- VI. Those employees that are required to operate an Authority vehicle must attend a Defensive Driving course and Vehicle Safety Training offered by the Authority as required.
- VII. Those employees assigned an Authority vehicle must complete an Initial Vehicle Inspection Form (Attachment 3) prior to driving the vehicle for the first time. Completed forms should be signed by the employee, approved by the employee's manager and sent to the Fleet Manager for review and retention.
- VIII. All vehicles will be used for **official Authority business only**. Only those passengers and/or materials necessary to conduct this business will be transported. It is the shared responsibility of the Fleet Manager, directors, supervisors, and employees to ensure that vehicles are used properly. The misuse of a vehicle may result in appropriate disciplinary action.
- IX. Employees driving an assigned vehicle shall keep an updated logbook that includes the date of travel, the beginning mileage, the destination and the ending mileage and any other information as prescribed by the Fleet Manager. This logbook will be provided by the ~~Fleet Manager~~employee's managersupervisor. Completed books shall ~~be~~ turned into the Division Director ~~or Vehicle Manager~~ for retention. For pool vehicles, employees shall complete the same information per trip, along with the name of the employee using the vehicle.
- X. Except for landfill vehicles, which may receive on-site fuel and/or maintenance, all vehicles are provided a vehicle specific fuel card. Drivers are assigned a PIN number which must be used with any fuel card purchase. The PIN number shall not be shared with anyone. **All** purchases of fuel, maintenance and other items needed for the operation of a fleet vehicle, and emergency repairs (e.g. flat tire) will be made using **only** the fuel card. Only in an emergency situation where the repair shop does not accept the fuel card, may vehicle maintenance be secured with a personal credit card or cash; however, to the extent possible, employees shall contact the Fleet Manager or immediate supervisor before emergency repairs are completed. All purchases must be accompanied by a proper receipt; payment for purchases not accompanied by proper documentation will be the responsibility of the operator. Procedures for purchasing fuel require the operator to enter a PIN number and current odometer reading. The Fleet Manager will review fuel card monthly statements to verify specific transaction information including, but not limited to: date, time, location, amount, and type of each purchase. In addition, detailed fleet management transaction reporting, such as the average mileage of vehicles or the frequency and timing of purchases will be monitored to assist the Fleet Manager in evaluating employee compliance with this Policy and scheduling maintenance. Use of the fuel card for personal vehicles is not authorized, and may result in revocation of the vehicle use benefit, or other disciplinary action as appropriate.
- XI. Use of seat belts by drivers and all passengers, regardless of seating locations, is mandatory.
- XII. Because of the potential safety risks involved and to ensure compliance with State law, the use of hand-held mobile phones while operating an Authority vehicle, is prohibited. Hands free phones and communication devices can be used while operating an Authority vehicle.
- XIII. The sending or viewing of emails or text messages while driving is strictly prohibited.

- XIV. The use of headlights is required at all times. Vehicles equipped with daytime running lights may utilize that function during daylight hours. All other vehicles will turn on the headlights while operating the vehicle.
- XV. A vehicle will never be operated by an individual when under the influence of alcohol, marijuana, illegal drugs, or prescription drugs that impair the ability to operate a motor vehicle. Also, possession and/or use of alcohol, marijuana, illegal drugs, or other intoxicating substances in an Authority vehicle are strictly prohibited.
- XVI. The carrying of firearms and other weapons in an Authority vehicle is prohibited, with the exception of special situations at the MMF, which may require the use of a pyrotechnic device for vector control. (Refer to the Health & Safety Manual for further handling details).
- XVII. Authority vehicles will be secured and locked when left unattended.
- XVIII. An Authority vehicle is considered an extension of the workplace. As such, smoking in the vehicle is prohibited.
- XIX. When an employee is in official travel status (more than 100 miles from both the official duty station and place of residence), the employee is on official business. Employees in travel status are permitted to use Authority vehicles for transportation to home, eating places, and other places for reasonable necessities and amenities incidental to a field trip or other official business. An Authority vehicle may be taken home the day prior to and the last day of a planned trip when waiting to obtain or prematurely returning a vehicle would result in inefficient use of human or fiscal resources.
- XX. Employees are not permitted to use Authority vehicles for personal reasons, including stops for food and drink, unless the use is incidental to official business. An example is employees whose duties necessitate "in-service" area travel (traveling within a 100 mile radius of their official work station on Authority business) for the majority of their day. In such circumstances, employees are allowed to stop for food or drink purchases or required meal breaks. Employees that spend the majority of their day at their duty station should not use Authority vehicles for personal reasons while out on official Authority business. Any circumstances outside of this would need prior approval from the appropriate Division Director.
- XXI. All Authority vehicles are required to have official license plates and logos, except as authorized by the Executive Director.
- XXII. Except as required by traffic, weather, or road conditions, travel should be by the most direct route possible, taking into consideration cost effectiveness, actual distance traveled, and the time to travel such distance.
- XXIII. Each Authority owned vehicle is equipped with a GPS unit and forward-facing camera. Employees driving an Authority vehicle shall not tamper with, disconnect, or in any way interfere with these devices.
- XXII-XXIV. Employees receiving cell phone reimbursement must connect their cell phone to the GPS driver's application whenever driving a fleet vehicle not directly assigned to them.

6.2 Selection of Authority/Private/Rented Vehicle Support:

The most cost-efficient means of vehicle transportation will be used whenever possible. Initial consideration will always be given to the use of an Authority vehicle whenever one is available.

If it is determined more cost-efficient or if use of an Authority vehicle is inappropriate, with the director's approval, employees may choose to use their personal car. If an Authority vehicle is not available or is inappropriate and the employee chooses not to use their personal vehicle, use of a rental vehicle is authorized with prior approval of the director. Directors should use sound fiscal management principles when determining if employees use an Authority vehicle, their own vehicle with reimbursement, or a rental vehicle. The goal of this policy is to be cost-efficient yet flexible given the specific circumstances.

If a rental vehicle is approved by the director, the employee shall use the corporate rental account established by the Authority. Account information can be obtained from the Procurement Coordinator.

Exceptions to the use of an Authority vehicle include:

1. Employees with physical disabilities or who have a documented medical condition requiring use of a personal or specially equipped vehicle.
2. Director approval of the use of a privately owned vehicle or rental vehicle when use of an Authority vehicle would likely raise the perception of misuse of public assets or be counterproductive, such as during an investigation.
3. Director approval of the use of a privately owned vehicle or rental vehicle when use of an Authority vehicle would present an unwarranted and counterproductive hardship on the employee (e.g., employees traveling from an end-of-day meeting which would require backtracking to pick up a personal vehicle from a work location).
4. The Authority may not dedicate a vehicle to specific individuals except in extraordinary circumstances approved by the Executive Director, and the use of such vehicle shall strictly be for carrying out Authority duties.

6.3 Parking Authority Vehicles:

It is the policy of the Authority that all vehicles shall be parked at official Authority facilities except those vehicles designated to employees per Section 5.0.

6.4 Vehicle Misuse:

The unauthorized and/or inappropriate use of a vehicle is considered misuse and includes the following:

1. Use of the vehicle for personal gain
2. Transportation of family or friends in support of non-work related activities
3. Loaning of the vehicle to a non-Authority employee

The unauthorized or inappropriate use of an Authority vehicle or any violation of this policy may result in the revocation of Authority vehicle use privileges and may subject an employee to formal disciplinary actions.

SECTION 7.0 VEHICLE PREVENTATIVE MAINTENANCE

The Fleet Manager is responsible for overseeing the routine service and maintenance of all vehicles. Vehicle service and maintenance will be performed per factory recommendations specific to each manufacturer and vehicle. A minimum of once a month, the Fleet Manager will record the odometer reading of all Authority Over-the-Road (OTR) vehicles in a computerized maintenance program. The computerized maintenance program is pre-programmed for vehicle preventative maintenance based upon set mileage intervals, with the exception of

some vehicles that are based on a time interval because of minimal mileage. The maintenance program will generate a work order when the threshold for the next preventative maintenance service is reached. An auto-generated email notification that a work order has been created is sent to the Fleet Manager and the designated Vehicle Manager. The Vehicle Manager will notify the driver of the assigned vehicle and what service is required. The driver of the vehicle then performs the service or maintenance on the vehicle and returns the receipt or invoice to the Vehicle Manager, who enters the information into the computerized maintenance program. Drivers will not have routine Preventative Maintenance work performed in advance of a work order being generated without the authorization of the Fleet Manager.

If the Preventative Maintenance work is warranted prior to the next mileage interval being reached, the Fleet or Vehicle Manager will manually create a work order for the service. The Fleet Manager tracks any and all service and maintenance through both the computerized maintenance system and the fuel card monthly invoice. The Fleet Manager will review mileage on each vehicle on a monthly basis. The average monthly mileage will determine which, if any, vehicles should be rotated to ensure maximum vehicle utilization. The Fleet Manager will notify the Division Director of any driver who is not performing scheduled maintenance as required, and follow-up until in compliance.

SECTION 8.0 UNSCHEDULED MAINTENANCE

The Fleet Manager ~~will~~ shall be notified immediately by the driver (by emailing Procurement@danc.org) of the vehicle of the need for unscheduled maintenance, including recalls, warranty work, general body repair or tire wear, and vehicle modifications or accessories. The Fleet Manager will assess the unscheduled maintenance and make the determination as to where and when repairs will be made. Generally, maintenance is performed in-house or is authorized through a purchase order. A work order must be prepared by either the Fleet or Vehicle Manager for all unscheduled maintenance. Any invoices for parts, outside labor or other costs must be entered in the work order and supporting documentation attached. When the work order is prepared by the Vehicle Manager, the Fleet Manager must be listed on the work order (as supervisor) so as to receive notifications when work orders are generated and work is being done on Authority vehicles.

SECTION 9.0 EMERGENCY MAINTENANCE

For emergency repairs, the vehicle shall be driven or towed to a secure location. If emergency repairs are required, employees shall contact their ~~Fleet Manager~~ or immediate supervisor before emergency repairs are completed. The Division Director, or their designee, will contact the Fleet Manager. Minimum essential vehicle repairs may be accomplished using the fuel card. Only in an emergency situation where the repair shop does not accept the fuel card, may vehicle maintenance be secured with a personal credit card or cash. A work order must be created for all emergency repairs and all costs captured in the work order.

SECTION 10.0 OPERATOR RESPONSIBILITY

All drivers of an Authority vehicle are responsible for the proper care of the vehicle. The following operator care procedures will be followed:

1. Drivers shall complete a pre-use check of the vehicle and report any damage to their supervisor immediately.
- 4.2. Drivers will ensure that the engine coolant and oil levels are maintained at the proper level. The lights, wipers, belts and transmission fluid will be checked and corrective action taken as needed.
- 2.3. Tire pressure will be checked and properly maintained.

3.4. When needed, drivers will change flat tires, if possible, or make arrangements to have them changed. Tire replacement must be pre-approved by the Fleet Manager before purchase. A work order must be created for all tire purchases and the costs captured in the work order. Tire purchases will be at the nearest OGS contract facility. Exceptions will be on an emergency basis only.

4.5. Drivers will be responsible for completing scheduled maintenance as required.

5.6. Warranty issues will be reported to the Fleet Manager and scheduled for repair at the nearest dealer facility. A work order must be created to document the repairs, even if there is no charge for the repairs.

6.7. Annual New York State vehicle inspections will be performed at the MMF site whenever practical.

7.8. Drivers will be responsible for keeping the vehicle clean.

SECTION 11.0 VEHICLE ACCIDENT REPORTING PROCEDURES

The Operator of any Authority vehicle involved in an accident will ensure the incident is reported as outlined in the Health & Safety Manual. ~~An Accident Report Form, copies of which will be kept in each vehicle, shall be completed and filed within 24 hours of the incident.~~

SECTION 12.0 RECORD OF REVISIONS

Revision Date	Resolution Number
April 10, 2007	2007-03-21
March 27, 2008	2008-03-11
March 13, 2009	2009-03-20
July 2, 2009	2009-07-05
December 3, 2009	2009-12-10
August 26, 2010	2010-08-03
March 23, 2017	2017-03-29
January 28, 2021	2021-01-02
March 28, 2024	2024-03-22
March 27, 2025	2025-03-21

Attachment 1 (Vehicle Use Agreement)

FLEET MANAGEMENT POLICY Vehicle Use Agreement

I have been approved to drive an Authority vehicle or have been authorized to drive my personal vehicle on company time and acknowledge and understand the following terms and conditions:

1. When the Authority makes a vehicle available for my use, I will use it for the performance of my official duties only and the subject vehicle will not be used for personal business.
2. Unauthorized use of any Authority vehicle may result in the revocation of vehicle privileges and cause me to be subject to appropriate disciplinary measures.
3. If I am assigned an Authority vehicle, I agree to provide the Fleet Manager with an actual statement of personal use as stated in Section 5.4 and attachment #2 of the policy.
4. I am responsible for the proper care of the Authority vehicle. I will maintain the vehicle pursuant to the Fleet Management Policy. If driving a pool vehicle, I will notify my supervisor ~~the proper Vehicle Manager~~ if vehicle maintenance is needed.
5. At no time will non-Authority passengers be traveling in an Authority vehicle with the exception of work related matters and emergencies.
6. I have a valid New York State driver license for the vehicle I will be operating. If my license ever becomes suspended, revoked, or restricted, I will notify my manager immediately and I realize that my vehicle privileges may be impacted.
7. If I receive a traffic violation (moving or non-moving) in a company vehicle, I will report that violation to my director and HR as soon as possible but no later than the next business day. If I am in my personal vehicle, but on company business, and receive a moving violation I will report that violation to my director and HR as soon as possible but no later than the next business day.
8. When driving a personal vehicle for business related activities, I will maintain personal automobile liability insurance coverage.
9. I understand that I am required to attend the Defensive Driving course and Vehicle Safety Training provided by the Authority.
10. I have read, understand and agree to follow the Fleet Management Policy.

The undersigned acknowledges the above statements:

Employee Name

Date

Attachment 2 (Statement of Personal Use)

**ACTUAL STATEMENT OF PERSONAL USE
FOR AUTHORITY PROVIDED VEHICLE**

Reporting Year: November 1, 20xx – October 31, 20xx

THIS FORM IS TO BE COMPLETED BY AUTHORITY EMPLOYEES THAT ARE PROVIDED AN AUTHORITY VEHICLE FOR AUTHORITY BUSINESS PURPOSES. PLEASE COMPLETE THIS FORM BY COMPUTING THE ACTUAL NUMBER OF TRIPS (HOME TO WORK LOCATION and WORK TO HOME LOCATION) MADE BETWEEN NOVEMBER 1, 20xx AND OCTOBER 31, 20xx UTILIZING AN AUTHORITY PROVIDED VEHICLE.

Please complete sections 1 & 2 below, sign and submit to the Fleet Manager no later than November 15th.

EMPLOYEE NAME: _____

#1 SPECIAL COMMUTING RULE

_____ X \$ _____ * = _____
ACTUAL NO. TRIPS COMMUTING TAXABLE FRINGE BENEFIT AMOUNT
(From home to any work location is considered one trip and any work location to home is considered one trip) (Amount will be reported on W-2)

#2 USE THE 20xx ACTUAL # OF TRIPS AS MY ESTIMATE FOR 20xx

YES _____ NO _____

If NO, what will your estimated # of trips be for 20xx? _____

EMPLOYEE SIGNATURE

DATE

* Note: See Internal Revenue Service Publication 15-B, "Commuting Rule" section for the most recent value of one way commute or call the Authority Comptroller for the current value.

Attachment 3 (Initial Vehicle Inspection Form)

Initial Vehicle Inspection Form

(To be completed by the employee once they are assigned a company vehicle)

INSPECTION		
DATE:	NAME:	DIVISION:
VEHICLE:	PLATE #:	MILEAGE:
EXTERIOR (CHECK IF WORKING/FREE FROM DEFECT)		
HEADLIGHTS (HIGH & LOW BEAMS)		<input type="checkbox"/>
TAIL LIGHTS		<input type="checkbox"/>
BRAKE LIGHTS		<input type="checkbox"/>
TURN SIGNALS (FRONT & REAR)		<input type="checkbox"/>
4-WAY FLASHERS (FRONT & REAR)		<input type="checkbox"/>
REVERSE LIGHTS (BACK-UP LIGHTS)		<input type="checkbox"/>
LICENSE PLATE LIGHT		<input type="checkbox"/>
WINDSHIELD & WINDOWS		<input type="checkbox"/>
WINDSHIELD WIPER BLADES		<input type="checkbox"/>
MIRRORS		<input type="checkbox"/>
EXTERIOR- BODY (CHECK IF PRESENT AND USE DIAGRAM TO DESCRIBE AND SHOW LOCATION)		
MINOR SCRATCHES		<input type="checkbox"/>
MAJOR SCRATCHES		<input type="checkbox"/>
EXTERIOR DENTS (MINOR)		<input type="checkbox"/>
EXTERIOR DENTS (MAJOR)		<input type="checkbox"/>
OTHER EXTERIOR DAMAGE		<input type="checkbox"/>
TIRES (CHECK IS ACCEPTABLE)		
GENERAL CONDITION (LOOK FOR CRACKS, UNEVEN WEAR, ETC...)		<input type="checkbox"/>
TREAD DEPTHS (5/32" MINIMUM)		<input type="checkbox"/>
TIRE PRESSURE (CHECK VEHICLE DRIVERS MANUAL FOR SPECS)		<input type="checkbox"/>
INTERIOR		
GENERAL CONDITION (NOTE ANY STAINS, DAMAGES, CLEANLINESS):		
GAUGES/WARNING LIGHTS (LIST ANY INDICATORS THAT ARE ON):		

SEAT BELTS (CORRECT NUMBER AND WORKING)	<input type="checkbox"/>
HORN (CHECK IF WORKING)	<input type="checkbox"/>
COMMENTS	
USE THIS SECTION TO NOTE ANY CONCERNS (I.E. NOISES THE VEHICLE IS MAKING OR OTHER DAMAGES NOT DESCRIBED ABOVE):	

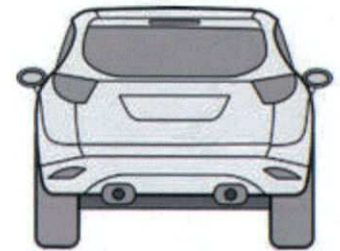
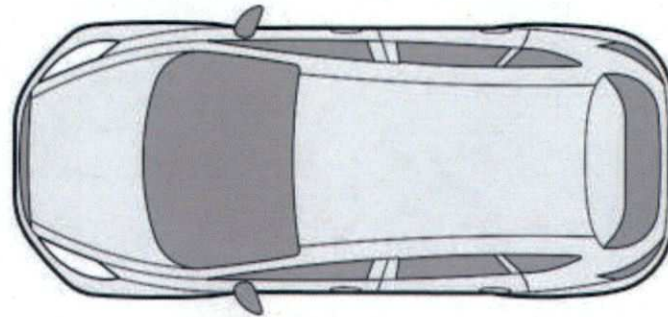
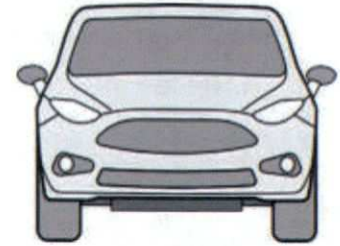
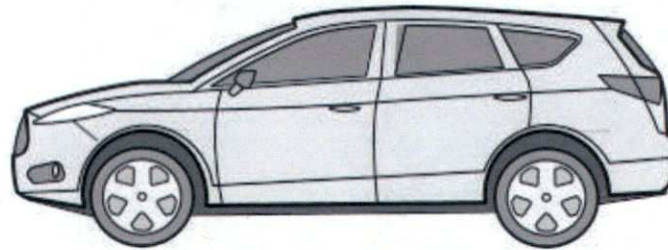
Complete this form and **return to the Fleet Manager**.
 This form will be uploaded into the computerized maintenance management system under
 the appropriate vehicle asset.

Completed by: _____ Date: _____

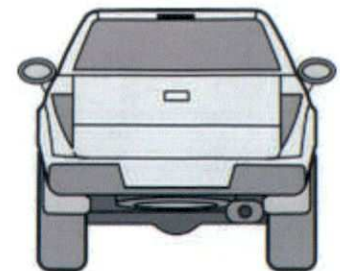
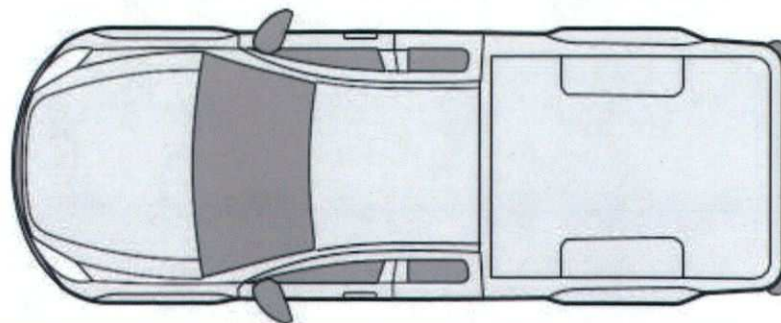
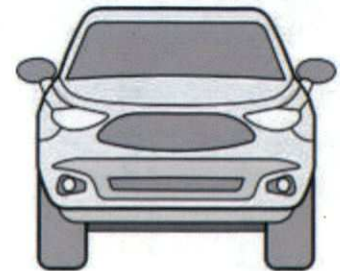
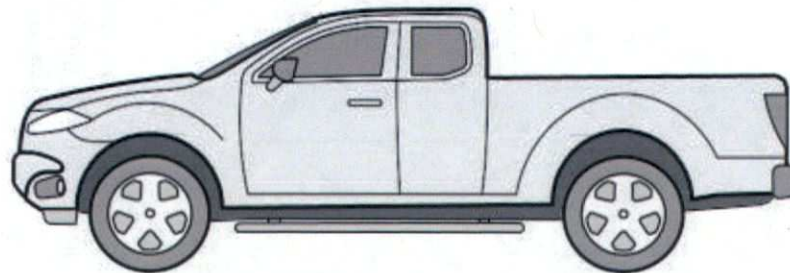
Manager Approval: _____ Date: _____

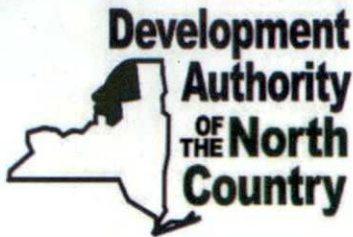
VEHICLE EXTERIOR - DAMAGE REPORT

SUV



PICK UP





Board Resolution No. 2025-03-22
March 27, 2025

AUTHORIZING PROFESSIONAL SERVICES CONTRACTS

Whereas, General Municipal Law Section 103 states that for reasons of efficiency or economy there is need for standardization for a particular type or kind of equipment, material, supplies or services, and

Whereas, the Development Authority of the North Country maintains professional service contracts with firms that provide specialized expertise, skills, and knowledge to the Authority, and

Whereas, the professional services firms listed below have direct experiential knowledge of the specialized operations of the Authority, the needed expertise, and a proven record of performance, such that a continued relationship will be a benefit to the Authority, and

Whereas, the fees or rates charged by the professional services firms listed below are commensurate with those charged for such services in their respective professions in this locale, and

Whereas, the Development Authority of the North Country's Procurement Policy requires Board authorizations for professional services contracts on an annual basis.

Now, therefore, be it

RESOLVED, that the Development Authority of the North Country does hereby authorize the professional services contracts as identified on Schedule A, and be it further

RESOLVED, that this Resolution shall take effect immediately.

Resolution No. 2025-03-22
Schedule A
PROFESSIONAL SERVICES STANDARDIZATION

<u>PROFESSIONAL SERVICE</u>	<u>SERVICE PROVIDER</u>
Architectural & Engineering Services	Barton & Loguidice, PC
Computer/Network/Telephone Services	Brite Computers (aka Upstate Wholesale Supply Inc) Cisco WebEx Colibri Solutions Evo Studios HACH Naviant NexGen Optimation Technology Paradigm Software ProArch Scadatek SVA Consulting Verizon VHB Engineering Waypoint Technology Group Winslow Technology Group
Consulting Services	CC Environmental & Planning Converse Laboratories DataVal Davey Resource Group HROne Lovell Safety Management OneDigital Osmose
Financial Services	The Bank of New York Comerica RBC Dain Rauscher Community Bank
Legal Services	Hage and Hage LLC Bond, Schoeneck & King Germano & Cahill, PC Wladis Law Schwerzmann & Wise PC Barclay Damon
Media Production Services	Fourth Coast Productions
Security Services	Alltech Integrations Chimera Integrations

Motion by: T. Hefferon
Seconded by: D. Mastascusa

Voting:

Bibbins – **Yes***
Doheny – **Yes**
Hall – **Yes**

Hefferon – **Yes**
MacKinnon - **Yes**
Mastascusa -**Yes**

Murray – **Yes***
Virkler – **Yes**

Non-Voting:

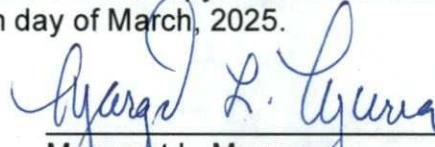
Henry – **Present**
Hunt – **Present**
McGrath – **Present***

* - indicates attendance via videoconference.

* - indicates voting member attending using audio only, unable to vote.

DEVELOPMENT AUTHORITY OF THE NORTH COUNTRY

I, the undersigned, Chairperson of the Board of Directors of the Development Authority of the North Country, do hereby certify that I have compared the foregoing copy of Resolution No. 2025-03-22 of the Development Authority of the North Country with the original adopted by the Development Authority of the North Country at a meeting of said Authority on the 27th day of March, 2025, and that same is a true and correct copy of such resolution. In testimony whereof, I have hereto set my hand this 27th day of March, 2025.



Margaret L. Murray
Board Chairperson



Board Resolution No. 2025-03-23

March 27, 2025

AUTHORIZING STANDARDIZED COMPUTER SOFTWARE PROGRAMS

Whereas, General Municipal Law Section 103 states that for reasons of efficiency or economy there is need for standardization for a particular type or kind of equipment, material, supplies or services, and

Whereas, the Development Authority of the North Country utilizes a variety of computer software programs to provide for efficient operations across multiple Authority Divisions. Such programs track and manage critical data to provide for continuity of operations across the multiple divisions of the Authority, and

Whereas, maintaining standardized software programs provides for economy of scale and is deemed cost effective by 1) assuring compatibility with existing technology and operations, 2) reducing downtime in the event of IT system failure, and 3) providing for common platform for training staff, and

Whereas, the computer software programs listed below provide for a common IT infrastructure across Authority Divisions. The software contains historical data, such that continued use and upgrades will be a benefit to the Authority, and

Whereas, General Municipal Law 103 requires board authorization for standardization of equipment, materials, supplies or services.

Now, therefore, be it

RESOLVED, that the Development Authority of the North Country does hereby authorize the standardization of computer software programs as identified on Schedule A, and be it further

RESOLVED, that this Resolution shall take effect immediately.

Resolution No. 2025-03-23
Schedule A
COMPUTER SOFTWARE STANDARDIZATION

DESCRIPTION	SOFTWARE PROGRAM
Accounting Software	Microsoft Dynamics SL
Purchase Requisition Software	eRequester (Paperless Business Systems)
Office Suite Applications	Microsoft Office, Office 365, Adobe Professional
Engineering Drawings	Bluebeam Revu
Network Security Software	OpenDNS, Barracuda WAFaaS
Antivirus Software	Webroot
SCADA Software/RTU	GE Intelligent Platforms: IFIX and Historian Smartsights: XLReporter Emerson Process Mgmt / Bristol: OpenBSI Suite Smartsights Win911: Alarm notification software
GIS/Drone Software	ESRI
MMF Scale & Billing Software	CompuWeigh (Paradigm Software)
MMF Fuel System	FuelMaster
Water & Sewer Data Collection Software	WIMS/RIO (HACH)
Pipeline Inspection Software	PipeLogix, Pro Pipe
Fiber Assignment Software	FileMaker
Fiber Assignment Software	3GIS
GPS Compaction Software	Geologic Orion
Asset Management Software	NexGen Utility Management
Asset Management Software IT	Snipe-IT
Electronic Content Management System	OnBase (Hyland)
Loan Portfolio Management Software	PIDC
IT Management and Imaging Software	Desktop Central
Network Alarm Software	PRTG Network Monitoring
3-D Draw & Design Software	AutoCad
E-mail Phishing Software	KnowBe4
Two-Factor Authentication Software	Duo, Microsoft Azure
HR Software	Bamboo HR
Secure File Sharing Software	ShareBase
Network Web Filter Software	Barracuda
Backup & Disaster Recovery	Barracuda
Remote Access Software	Team Viewer, RealVNC
E-mail Spam Filter Software	Titan HQ
Video Conferencing Software	Zoom, Cisco WebEx
VPN	Cisco Anyconnect, Barracuda VPN Client
Amortization Software	Time Value
Server Monitoring Software	Uptime Robot
Email Filtering Software	ORF Fusion
Internet and Intranet Web Host	EVOGOV
Radiation Detection Software	RadComm Controller
Password Management Software	Keeper
Network Access Control	Forescout
Cloud Server	Microsoft Azure, Amazon AWS
Fleet GPS	Motive

Motion by: E. Virkler
Seconded by: D. Mastascusa

Voting:

Bibbins – **Yes***
Doheny – **Yes**
Hall – **Yes**

Hefferon – **Yes**
MacKinnon - **Yes**
Mastascusa -**Yes**

Murray – **Yes***
Virkler – **Yes**

Non-Voting:

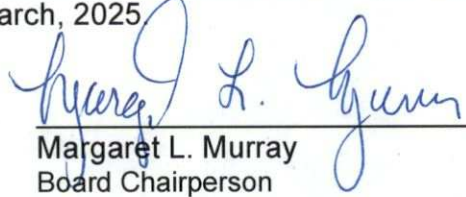
Henry – **Present**
Hunt – **Present**
McGrath – **Present***

* - indicates attendance via videoconference.

+ - indicates voting member attending using audio only, unable to vote.

DEVELOPMENT AUTHORITY OF THE NORTH COUNTRY

I, the undersigned, Chairperson of the Board of Directors of the Development Authority of the North Country, do hereby certify that I have compared the foregoing copy of Resolution No. 2025-03-23 of the Development Authority of the North Country with the original adopted by the Development Authority of the North Country at a meeting of said Authority on the 27th day of March, 2025, and that same is a true and correct copy of such resolution. In testimony whereof, I have hereto set my hand this 27th day of March, 2025


Margaret L. Murray
Board Chairperson



Board Resolution No. 2025-03-24
March 27, 2025

**STANDARDIZING UPON CERTAIN EQUIPMENT FOR USE IN
RELATION TO THE MATERIALS MANAGEMENT DIVISION**

Whereas, General Municipal Law Section 103 states that for reasons of efficiency or economy there is need for standardization for a particular type or kind of equipment, material, supplies or services, and

Whereas, Development Authority of the North Country's Materials Management Division utilizes sophisticated equipment purchased and installed in accordance with the engineered design and construction specifications, and

Whereas, the experience to date with the operation of the Materials Management Division has shown the equipment to be performing in accordance with all expectations and intentions, and

Whereas, staff recommends that the Authority standardize on specific manufacturers for the purchase of certain classes or items of Materials Management Division equipment based upon the following reasons: 1) to assure the best compatibility with the existing technology and operation, and 2) to realize economic benefits through the ability to provide for consistent trouble shooting, the ease of maintaining back-up inventory, and the ease of providing common training for staff, and

Whereas, General Municipal Law 103 requires board authorization for standardization of equipment, materials, supplies or services and

Now, therefore, be it

RESOLVED, that the Development Authority of the North Country hereby finds that standardization for purchases of certain classes of equipment for use in the Materials Management Division, as defined in Schedule A, as necessary for construction or operational activities and will provide economic and efficiency benefits, and is therefore in the best interests of the Authority, and further be it

RESOLVED, that this Resolution shall take effect immediately.

Resolution No. 2025-03-24

Schedule A

MATERIALS MANAGEMENT DIVISION EQUIPMENT STANDARDIZATION

CLASSIFICATION	MANUFACTURER/MODEL
Articulated Hauler (Ejector)	Caterpillar (740)
Compaction GPS Hardware	Geologic Orion
Drone Equipment	Skydio
Electric Unit Heater	Marley Engineered Products
Electric Louver	Greenheck Fan Corporation
Exhaust/Supply Fan	Greenheck Fan Corporation
Full Flow Pipe Flow Meters	Emerson-Rosemount
GPS Locating Equipment	Trimble
HDPE Fusion Equipment	McElroy Manufacturing
Landfill Compactor	Caterpillar (836)
Leachate Pumps	Homa Pump Technology
LFG Wellheads	QED Environmental Systems
	Elkins Earthworks, LLC
LFG Well Pumps	QED Environmental Systems
Pipeline Inspection Equipment	Proteus by Minicam
Thermal Mass Flow Meters	Thermal Instrument/Model #62-9
Open Channel Flow Meters	ISCO, Inc.
Pressure Transmitters	Schneider Electric - Foxboro
Radiation Monitoring Equipment	RadComm
Remote Terminal Units (RTU)	Emerson Process Management/Bristol
Spread Spectrum RTU Radios	GE-MDS, LLC
Surgebuster Swing Check Valves	Val-Matic Valve & Manufacturing Corp.
Variable Frequency Drives	ABB

Motion by: D. Mastascusa
Seconded by: M. Hall

Voting:

Bibbins – **Yes***

Doheny – **Yes**

Hall – **Yes**

Hefferon – **Yes**

MacKinnon - **Yes**

Mastascusa -**Yes**

Murray – **Yes***

Virkler – **Yes**

Non-Voting:

Henry – **Present**

Hunt – **Present**

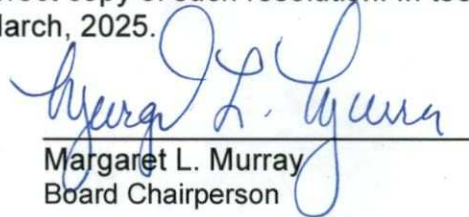
McGrath – **Present***

* - indicates attendance via videoconference.

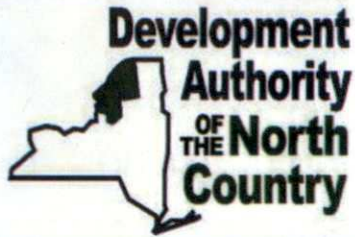
+ - indicates voting member attending using audio only, unable to vote.

DEVELOPMENT AUTHORITY OF THE NORTH COUNTRY

I, the undersigned, Chairperson of the Board of Directors of the Development Authority of the North Country, do hereby certify that I have compared the foregoing copy of Resolution No. 2025-03-24 of the Development Authority of the North Country with the original adopted by the Development Authority of the North Country at a meeting of said Authority on the 27th day of March, 2025, and that same is a true and correct copy of such resolution. In testimony whereof, I have hereto set my hand this 27th day of March, 2025.



Margaret L. Murray
Board Chairperson



Board Resolution No. 2025-03-25
March 27, 2025

**STANDARDIZING UPON CERTAIN EQUIPMENT FOR USE IN
RELATION TO THE TELECOMMUNICATIONS DIVISION**

Whereas, General Municipal Law Section 103 states that for reasons of efficiency or economy there is need for standardization for a particular type or kind of equipment, material, supplies or services, and

Whereas, the construction of the Telecommunications Network by the Development Authority of the North Country involved the use of sophisticated equipment purchased and installed in accordance with the engineered design and construction specifications, and

Whereas, the experience to date with the operation of the Telecommunications Network has shown the equipment performing in accordance with all expectations and intentions, and

Whereas, staff recommends that the Authority standardize on specific manufacturers for the purchase of telecommunications equipment for use in the Telecommunications Network based upon the following reasons: 1) to assure compatibility with our existing network technology and operation; in addition to being able to transmit data across the network, all network elements must also have the capability to exchange signaling and alarm information, interoperate with similar protocols and features, create data transfer sessions, have a common network management platform, require remote access for diagnostic information, and must be able to interoperate with adjacent nodes, 2) provide consistent troubleshooting for more rapid repair of customer troubles, 3) to enable replacement of like parts in the event of an equipment failure, 4) to enable a more efficient upgrade of our network, 5) to reduce the cost of having multiple vendor maintenance fees, 6) for providing the most cost-effective means of maintaining spare inventory, and 7) for providing common training for staff, and

Whereas, General Municipal Law 103 requires board authorization for standardization of equipment, materials, supplies or services.

Now, therefore, be it

RESOLVED, that the Board of the Development Authority of the North Country hereby finds that standardization for purchases of certain classes of information technology and telecommunications equipment for use in the Telecommunications Network, as defined in Schedule A, as necessary for construction or operational activities and will provide economic and efficiency benefits, and is therefore in the best interests of the Authority, and further be it

RESOLVED, that this Resolution shall take effect immediately.

Resolution No. 2025-03-25

Schedule A

TELECOMMUNICATIONS NETWORK EQUIPMENT STANDARDIZATION

CLASSIFICATION	MANUFACTURER/MODEL
Transport/Data/Media Conversion	Advantage Optics
	Ciena
	Cisco Systems
	Precision Optics
Monitoring	DPS Telecom
	Orion/SolarWinds
Electrical/Optical Cross Connect	ADC (TE Connectivity)
	Fiberone
	FIS
	Multilink
Power	J&M Schaeffer
	Vertiv
Superstructure	Moreng Telecom
	Pair Gain
DWDM	Ekinops
	Infinera
Fire Suppression	Sanders Fire and Safety
Fiber Panels	Clearfield FDP (CO)
	FiberOne(Cell Towers)
	Multilink (GPON)
	Century (Customer Premise)
Splice Case	Comscope
	Multilink
Optical Fiber	Corning SMF28 Ultra

Motion by: T. Hefferon
Seconded by: D. Mastascusa

Voting:

Bibbins – **Yes***
Doheny – **Yes**
Hall – **Yes**

Hefferon – **Yes**
MacKinnon - **Yes**
Mastascusa -**Yes**

Murray – **Yes***
Virkler – **Yes**

Non-Voting:

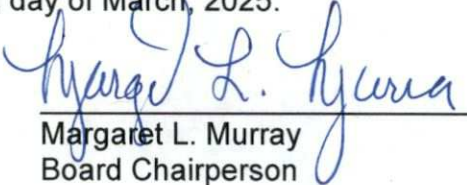
Henry – **Present**
Hunt – **Present**
McGrath – **Present***

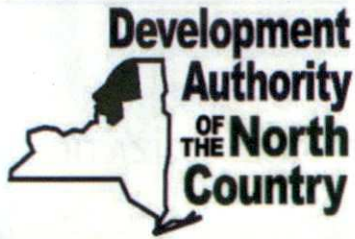
* - indicates attendance via videoconference.

* - indicates voting member attending using audio only, unable to vote.

DEVELOPMENT AUTHORITY OF THE NORTH COUNTRY

I, the undersigned, Chairperson of the Board of Directors of the Development Authority of the North Country, do hereby certify that I have compared the foregoing copy of Resolution No. 2025-03-25 of the Development Authority of the North Country with the original adopted by the Development Authority of the North Country at a meeting of said Authority on the 27th day of March, 2025, and that same is a true and correct copy of such resolution. In testimony whereof, I have hereto set my hand this 27th day of March, 2025.


Margaret L. Murray
Board Chairperson



Board Resolution No. 2025-03-26
March 27, 2025

**STANDARDIZING UPON CERTAIN EQUIPMENT FOR USE
IN RELATION TO THE WATER QUALITY MANAGEMENT DIVISION**

Whereas, General Municipal Law Section 103 states that for reasons of efficiency or economy there is need for standardization for a particular type or kind of equipment, material, supplies or services, and

Whereas, Development Authority of the North Country's Water Quality Management Division utilizes sophisticated equipment purchased and installed in accordance with the engineered design and construction specifications, and

Whereas, the experience to date with the operation of the Water Quality Management Division has shown the equipment to be performing in accordance with all expectations and intentions, and

Whereas, staff recommends that the Authority standardize on specific manufacturers for the purchase of certain classes or items of water/wastewater equipment based upon the following reasons: 1) to assure the best compatibility with the existing technology and operation, and 2) to realize economic benefits through the ability to provide for consistent troubleshooting, the ease of maintaining back-up inventory, and the ease of providing common training for staff, and

Whereas, General Municipal Law 103 requires board authorization for standardization of equipment, materials, supplies or services.

Now, therefore, be it

RESOLVED that the Development Authority of the North Country hereby finds that standardization for purchases of certain classes of equipment for use in the Water Quality Management Division, as defined in Schedule A, as necessary for construction or operational activities and will provide economic and efficiency benefits, and is therefore in the best interests of the Authority, and further be it

RESOLVED, that this Resolution shall take effect immediately.

Resolution No. 2025-03-26

Schedule A

WATER QUALITY MANAGEMENT DIVISION EQUIPMENT STANDARDIZATION

CLASSIFICATION	MANUFACTURER/MODEL
Air Relief Valves	A. R. I. Flow Control Accessories
Chemical Feed Pumps (diaphragm)	Liquid Metronics Incorporated (LMI)
Chemical Feed Pumps (peristaltic)	Blue-White Industries, Ltd.
Chlorine/Turbidity Analyzers	HACH Company
Double Suction Centrifugal Pumps	Xylem Family (Goulds)
Full Flow Pipe Flow Meters	Emerson-Rosemount
GPS Locating Equipment	Trimble
Grinder Pumps	Environmental One Corp. (E-ONE)
Leak Detection Equipment	Subsurface Instruments, Inc.
	Health Consultants
Open Channel Flow Meters	ISCO, Inc.
	HACH Company
pH Analyzers	HACH Company
Pipeline Inspection Equipment	Proteus by Minicom
Pressure Transmitters	Schneider Electric-Foxboro
Self-Priming Pumps	Xylem Family (Godwin)
Regional Water Line Compound Flow Meters	Master Meter, Inc.
Regional Water Line Control Valves	Ross Valve Manufacturing Company, Inc.
Remote Terminal Units (RTU)	Emerson Process Management/Bristol
Spread Spectrum RTU Radios	GE-MDS, LLC
Self-Priming Pumps	Xylem Family (Godwin)
Spilt Case Pump	Pentair Pump Group Inc (Aurora)
Surgebuster Swing Check Valves	Val-Matic Valve & Manufacturing Corp.
Variable Frequency Drives	ABB

Motion by: M. Hall
Seconded by: E. Virkler

Voting:

Bibbins – **Yes***
Doheny – **Yes**
Hall – **Yes**

Hefferon – **Yes**
MacKinnon - **Yes**
Mastascusa -**Yes**

Murray – **Yes***
Virkler – **Yes**

Non-Voting:

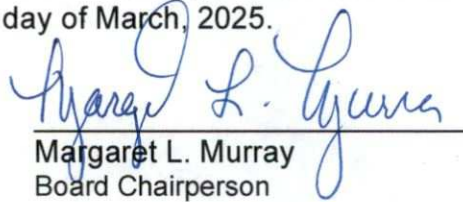
Henry – **Present**
Hunt – **Present**
McGrath – **Present***

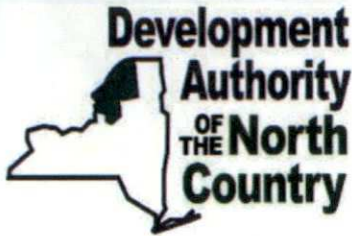
* - indicates attendance via videoconference.

* - indicates voting member attending using audio only, unable to vote.

DEVELOPMENT AUTHORITY OF THE NORTH COUNTRY

I, the undersigned, Chairperson of the Board of Directors of the Development Authority of the North Country, do hereby certify that I have compared the foregoing copy of Resolution No. 2025-03-26 of the Development Authority of the North Country with the original adopted by the Development Authority of the North Country at a meeting of said Authority on the 27th day of March, 2025, and that same is a true and correct copy of such resolution. In testimony whereof, I have hereto set my hand this 27th day of March, 2025.


Margaret L. Murray
Board Chairperson



**Board Resolution No. 2025-03-27
March 27, 2025**

**AMENDMENT NO. 2
WATER SERVICE AGREEMENT
TOWN OF LERAY**

Whereas, the Town of LeRay desires to amend its Water Service Agreement dated November 4, 2022 with the Development Authority of the North Country, and

Whereas, the November 4, 2022 agreement was first amended on November 14, 2024 to increase the term expiration date to December 31, 2055, and

Whereas, the Town of LeRay desires to increase its water allocation from the Army Water Line from solely a backup supply with no maximum daily flow allocation to 250,000 gallons per day, and

Whereas, this Amendment No. 2 will require that the Town purchase a minimum of 50% of its allocated capacity from the Army Water Line, and

Whereas, the Authority has capacity available within its 750,000 gallon per day allocation for outside users from the City of Watertown to authorize this increase for the Town of LeRay.

Now, therefore be it

RESOLVED, the Development Authority of the North Country does hereby authorize and direct the Executive Director to enter into Amendment No. 2 to the Water Service Agreement with the Town of LeRay.

Motion by: D. Mastascusa
Seconded by: T. Hefferon

Voting:

Bibbins – Yes*
Doheny – Yes
Hall – Yes

Hefferon – Yes
MacKinnon - Yes
Mastascusa -Yes

Murray – Yes*
Virkler – Yes

Non-Voting:

Henry – Present
Hunt – Present
McGrath – Present*

* - indicates attendance via videoconference.
* - indicates voting member attending using audio only, unable to vote.

DEVELOPMENT AUTHORITY OF THE NORTH COUNTRY

I, the undersigned, Chairperson of the Board of Directors of the Development Authority of the North Country, do hereby certify that I have compared the foregoing copy of Resolution No. 2025-03-27 of the Development Authority of the North Country with the original adopted by the Development Authority of the North Country at a meeting of said Authority on the 27th day of March, 2025, and that same is a true and correct copy of such resolution. In testimony whereof, I have hereto set my hand this 27th day of March, 2025.

Margaret L. Murray
Board Chairperson

WATER SERVICE AGREEMENT

**DEVELOPMENT AUTHORITY OF THE NORTH COUNTRY
&
TOWN OF LERAY CONSOLIDATED WATER DISTRICT**

AMENDMENT NO. 2

This sets forth the amendment made as of _____, 20____ by and between the by and between the Town of LeRay ("Town"), a New York municipal corporation, with offices at 8650 LeRay Street, Evans Mills, NY 13637 and the DEVELOPMENT AUTHORITY OF THE NORTH COUNTRY, a New York public benefit corporation with offices at the Dulles State Office Building, 317 Washington Street, Watertown, New York 13601 ("Authority").

RECITALS

1. Article I, Section 101, part b of the November 4, 2022 agreement is hereby amended to: *The Town maintains a connection to the Authority's Army Water Line with an allocation of 250,000 gallons per day.*
2. Article I, Section 101, part b of the November 4, 2022 agreement is hereby replaced with: *The Town agrees to purchase a minimum of 50% of its allocation from the Army Water Line on a monthly basis.*
3. Amendment No. 1 was made as of November 14, 2024 and is still in effect.
4. The Town is authorized to enter into this Agreement by Resolution dated _____, a certified copy of which is attached as **Exhibit "A"**.

ALL OF THE ABOVE is established by the signatures of the authority representatives of the parties.

DEVELOPMENT AUTHORITY OF THE NORTH COUNTRY

By: _____
Carl E. Farone, Jr., Executive Director

TOWN OF LERAY

By: _____
Leland Carpenter, Supervisor

ACKNOWLEDGEMENTS

STATE OF NEW YORK)
COUNTY OF JEFFERSON) s.s.:

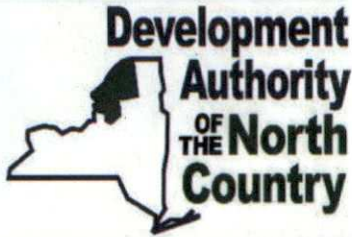
On the ____ day of _____ in the year 20 ____, before me, the undersigned, a Notary Public in and for said state, personally appeared Carl E. Farone, Jr., personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity, and that by his signature on the instrument, the individual or the person upon behalf of which the individual acted, executed the instrument with full authorization to do so.

Notary Public

STATE OF NEW YORK)
COUNTY OF JEFFERSON) s.s.:

On the ____ day of _____ in the year 20 ____, before me, the undersigned, a Notary Public in and for said state, personally appeared Lee Carpenter, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity, and that by his signature on the instrument, the individual or the person upon behalf of which the individual acted, executed the instrument with full authorization to do so.

Notary Public



Board Resolution No. 2025-03-28
March 27, 2025

ECONOMIC DEVELOPMENT FUND
MASSENA ARTS AND THEATER ASSOCIATION INC.
LOAN 2

Whereas, Massena Arts and Theater Association Inc. (MATA) is requesting a loan of up to \$500,000 from the Economic Development Fund for construction financing to bridge state grants in order to complete a substantial renovation to the Schine Theater in downtown Massena (St. Lawrence County), and

Whereas, the Authority will be the lead lender for a \$1,000,000 loan with participation from the St. Lawrence County Industrial Development Agency Local Development Corporation in the amount of \$500,000, and

Whereas, SeaComm Federal Credit Union will also consider a loan of \$500,000 to bring total construction financing to \$1.5 million, and

Whereas, **Resolution No. 2024-08-59** approved a loan of \$100,000 to MATA in August 2024 to bridge a Downtown Revitalization Initiative Core of the Community grant, and

Whereas, MATA is a not-for-profit 501(c)(3) organization and the project is eligible for funding through the Economic Development Fund, and

Whereas, the project is transformational to downtown Massena.

Now, therefore be it

RESOLVED, the Development Authority of the North Country does hereby authorize a revolving loan in the amount of up to \$1,000,000 from the Economic Development Fund, with the Authority's portion not to exceed \$500,000, to Massena Arts and Theater Association Inc. at the terms and conditions outlined on the attached Term Sheet, and further authorizes the Executive Director or Chief Financial Officer to execute all documents necessary to make the loan, and further be it

RESOLVED, this is considered a Type II Action under the State Environmental Quality Review (SEQRA) and is considered an exempt activity requiring no further action.

Motion by: E. Virkler
Seconded by: T. Hefferon

Voting:

Bibbins – **Abstained*** Hefferon – **Yes**
Doheny – **Yes** MacKinnon - **Yes**
Hall – **Yes** Mastascusa -**Yes**

Murray – **Yes***
Virkler – **Yes**

Non-Voting:

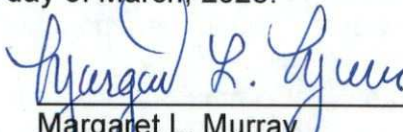
Henry – **Present**
Hunt – **Present**
McGrath – **Present***

* - indicates attendance via videoconference.

+ - indicates voting member attending using audio only, unable to vote.

DEVELOPMENT AUTHORITY OF THE NORTH COUNTRY

I, the undersigned, Chairperson of the Board of Directors of the Development Authority of the North Country, do hereby certify that I have compared the foregoing copy of Resolution No. 2025-03-28 of the Development Authority of the North Country with the original adopted by the Development Authority of the North Country at a meeting of said Authority on the 27th day of March, 2025, and that same is a true and correct copy of such resolution. In testimony whereof, I have hereto set my hand this 27th day of March, 2025.



Margaret L. Murray
Board Chairperson

TERM SHEET

Borrower: Massena Arts and Theater Association Inc.

Fund: Economic Development Fund

Amount: Up to \$1,000,000 revolving loan (participation loan with St. Lawrence County IDA LDC for \$500,000)

Term: 36 months, or upon receipt of final grant proceeds, whichever occurs first

Interest Rate: ½ Wall Street Journal Prime plus 1 set at closing

Repayment: Monthly interest only payments

Security: Co-proportional second mortgage and assignment of rents and leases with the SLC IDA LDC and SeaComm Federal Credit Union on real estate located at 63-67 Main Street, Massena, NY 13662.

Co-proportional assignment of grant proceeds with SLC IDA LDC and SeaComm Federal Credit Union.

Conditions: Proof of DRI Core of the Community Grant,
Proof of RESTORE NY Grant,
Proof of NYPA Power Proceeds Grant,
SeaComm Federal Credit Union construction loan of \$500,000,
St. Lawrence County IDA LDC construction loan of \$500,000,
Proof of building liability insurance,
Proof of all required permits and approvals,
Disbursements will be proportionate between DANC, SLC IDA LDC, and SeaComm Federal Credit Union,
Authority engineering staff to provide inspection services at a cost not to exceed \$4,000

**Economic Development Loan Fund-
Draft Confidential**

BORROWER: Massena Arts and Theater Association, Inc.

BUSINESS LOCATION: 63,65,67 Main Street, Massena, NY 13662 (parcel # 9.067-2-23)

OWNERSHIP: 501 C 3 not for profit

OFFICERS:

Allison Smith	President
Ryan Murphy	Vice President
Matthew LeBier	Secretary
Justin Cardinal	Treasurer
William Fiacco	Project Advisor

AMOUNT: Up to \$500,000.00 DANC funds (\$1,000,000 loan with a participation agreement with the St. Lawrence County IDA LDC)

TERM: 36 months, or upon receipt of final grant funds, whichever occurs first.

RATE: ½ Wall Street Journal Prime plus 1 set at closing, (4.75% as of 3/17/2025)

PAYMENTS: Monthly interest only payments.

COLLATERAL: Co-proportional second mortgage with SeaComm Credit Union and St. Lawrence County Industrial Development Agency LDC, Co-proportional assignment of grant proceeds

USE OF FUNDS: Bridge grants to complete the project

GUARANTORS: None

EMPLOYEES: Potential to create 3.5 FTE over 3 years

SOURCES OF FUNDS

DRI Core of the Community	\$ 100,000.00
RESTORE NY	\$2,000,000.00
NYPA Power Proceeds	\$ 640,000.00
MATA	\$ 472,772.00
Total Sources	<u>\$3,212,772.00</u>

USES OF FUNDS

New Construction	\$ 195,583.00
Renovation	\$1,998,182.00
Demolition	\$ 38,000.00
Parking	\$ 12,000.00
Professional Services	\$ 244,853.00
Contingency	\$ 247,327.00
FFE	<u>\$ 476,827.00</u>
Total Uses	<u>\$3,212,772.00</u>

**Economic Development Loan Fund-
Draft Confidential**

DRI Core of the Community-Committed

RESTORE NY-Committed (the amount may be lowered slightly by +/- \$20,000)

NYPA Power Proceeds-Committed

MATA-\$100,000 raised to date, they are continuing to fund raise, and cash flow projections show that the project could support \$200,000 in permanent debt if needed.

PROJECT:

The Massena Arts and Theater Association (MATA) is requesting up to \$500,000 from the Economic Development Loan Fund to provide construction financing to bridge state grants in order to complete a substantial rehabilitation of the former Schine Theater in downtown Massena. The request is part of a larger construction loan package that will include a similar ask of \$500,000 from the St. Lawrence County IDA LDC and SeaComm Federal Credit Union. Verbally, all feel comfortable sharing the risk and collateral at the \$500,000 amount. The Authority has agreed to be the lead lender for the St. Lawrence County IDA LDC, if funded. Engineering staff would provide inspection services in an amount not to exceed \$4,000.

The Authority closed on a loan for \$100,000 on November 14, 2024 to bridge the DRI Core of the Community grant. To date, only \$2,250 for the closing costs have been drawn on this loan. If the \$500,000 is approved, the intent would be to have them pay-off the \$100,000 loan as soon as possible and begin advancing on the larger construction loan. The loan will be disbursed pro-rata with the IDA LDC and SeaComm.

The Massena Arts and Theater Association, Inc., ("MATA") is a 501c(3) organization, located at 63-67 Main Street, dedicated to a complete restoration of the historic Schine Theatre in the heart of downtown Massena. MATA's mission is to restore and reimagine the historic gem, breathing new life into downtown Massena and positively impacting the local economy and regional tourism efforts.



Originally built in 1918 as a movie theater in a grand ornate style, the currently vacant and blighted 17,278 sq. ft. building will be transformed from a traditional movie theater to a multi-use community theater and event center. The theater is located on Main Street in downtown immediately across from the Town/Village office building. Design plans will provide this community theater with flexibility for its programs; including traditional community theater offerings, movies, concerts, cabaret shows, and other performances. Additionally, the ability to accommodate conference presentations and other large audience events will fill additional voids that currently exist in the community while providing valuable revenue streams to support the arts & culture programming.

The first step in the restoration process was in June 2015 when MATA purchased the building with the support of a \$50,000 grant from the St. Lawrence River Valley Redevelopment Agency and a low interest loan from SeaComm Federal Credit Union. The current balance on the loan is

Economic Development Loan Fund- Draft Confidential

around \$38,000. After purchasing the building, MATA embarked on what would end up being a three-phase restoration plan.

Phase I included a comprehensive environmental study, and asbestos abatement was completed in 2019, as was a Hazardous Material Study. Upon completion of the work, the property was determined to be free of environmental issues, giving the project “shovel-ready” status. Total project costs for this phase exceeded \$300,000, and was made possible by a \$170,000 New York Main Street Grant and MATA fundraising.

Phase II includes crucial facade and stabilization work as well as the restoration and installation of the historic marquee, engagement of an architect to produce as-built and schematic designs for the interior renovations and design work for modern mechanicals. This is currently underway and made possible by a grant, donations and fundraising.

In 2024 SeaComm Federal Credit Union donated \$60,000 towards the restoration and return of the Marquee. In 2023 MATA hosted multiple fundraising events which resulted in over \$18,000 in revenue. Thanks to the Village of Massena and the DRI Core of the Community grant it received an award of \$100,000 and MATA will provide a \$33,000 match towards the phase two goals. This work is currently out to bid and set to begin June 2025 and completed by 4Q 2025. The following is proposed to be completed with the \$100,000 grant:

1. Marquee Steel Canopy Replacement & Structural Support Improvements,
2. Vestibule and Exterior Sidewalk Replacement,
3. Electrical Upgrades/Restore Power to Marquee, Facade, and other areas of the theater,
4. Replacement of Storefront windows and doors (63 and 67 Main Street).



Phase III will include renovations to the roof and exterior masonry, and a complete interior alteration including new heating and cooling, ventilation, plumbing, lighting and electrical, and all interior finishes including the auditorium; it will reflect the Theater’s original art deco design. The facility will include a catering kitchen and support spaces for the entertainment events. In the final phase, the Theater will be technically outfitted for operation as a movie theater and performing arts venue, including a Digital Cinema Projection system, sound system, additional lighting for

performances on stage, movie screen, curtains for the stage, as well as the painting of murals in the lobby.

MATA has an on-going capital campaign, supported by various corporations and organizations. MATA has a goal of raising \$472,772 so that it will have no debt other than the first mortgage on the property when the project is completed. The applicant did provide cashflow projections and it would support \$200,000 in long term debt if necessary. This was discussed with the lenders and

Economic Development Loan Fund- Draft Confidential

all agreed that they would move forward without the commitment in place at this time, knowing that we **might** all be asked to provide the permanent funding in the end. They currently have grant applications submitted and are awaiting word on these additional resources. At this time there is no commitment for a permanent loan as we are not certain that it will be needed.

They plan to bid this phase of the project in early spring with a late summer/fall start date for construction. When it is completed, the building will have 19,878 s/f with a 1,000 s/f addition to the first and second floors, and a 600 s/f addition to the balcony.

The entirety of the renovated design will be focused on energy efficiencies, the use of sustainable materials, fully accessible, and with an awareness of healthy indoor environments. If funded MATA expects the restoration of the Theatre to be complete by 4Q2026, at a cost of \$3,200,000.

Brooks Washburn with LaBella is assisting MATA with the grant administration. The Village is the recipient of the DRI Community funding and RESTORE NY funding.

OVERALL COMMUNITY IMPACT

As an "anchor" building, the Theater's restoration is crucial for the planned revitalization of Downtown. The Theater will function not only as a movie theater, but also as a venue that offers small theatrical productions, musical performances, lectures, and other cultural events. A vibrant theater will serve as a catalyst for the creation of new cafés, restaurants, and shops in the downtown area, further attracting people from in and around Massena to Downtown.

The project will create a community theater venue that will serve as a center for arts and culture, filling an existing void in Massena and the greater region. While this venue will honor the history of the Schine by showing films targeted to three markets: families, young adults and seniors, it will also offer theatrical productions, concerts, lectures, comedians, and cultural events. The design of the restoration will also provide space that utilizes table seating which opens up additional opportunities such as cabaret shows, wedding receptions, and potential exhibit and tradeshow space thus providing MATA the ability to fully maximize the market potential and gain additional revenue.

A revitalized Schine Theater will not only enrich Massena and its neighboring areas economically, but also have a significant positive impact on regional tourism. As a cultural hub offering diverse entertainment options, such as productions, concerts, and events, the theater will attract visitors from across the region, boosting foot traffic in local businesses and stimulating economic growth. This increased tourism will not only enhance the town's reputation as a destination, but also contribute to its overall prosperity and vitality, generating additional tax revenues to support essential services and infrastructure development.

Further, the Theater will enrich the regional tourism landscape, bringing much needed tourism money and tax dollars into our low-income region. The theater will generate a feeling of common purpose during the restoration process, and a sense of community pride when its doors open once again. In addition to residents of the immediate region, MATA believes the effort will encourage former Massena natives to return home and rediscover the charm of our town, making visits to the rejuvenated theater a cherished tradition. MATA also anticipates the restoration will benefit the

**Economic Development Loan Fund-
Draft Confidential**

larger “North Country”, “Thousand Islands” and Canadian regions by adding a viable performing arts venue.

FINANCIALS:

	Historical		
	<u>2022</u>	<u>2023</u>	<u>12/2024</u>
Total Revenue	\$9,069	\$44,067	\$96,379
Operating Expenses	<u>\$9,409</u>	<u>\$18,731</u>	<u>\$81,513</u>
Net Income	(\$340)	\$25,336	\$14,866

- The historical financial information for 2022 through 2024 was internally prepared. The organization has a monthly treasurer’s report that is summarized for each year-end, however there are no compiled or reviewed statements. They have not needed to file a 990 as income has been below \$50,000 and assets less than \$500,000. They will file a 990 for 2024.
- Income in 2022 was \$7,400 from rent and \$1,669 from donations. In 2023, income was \$11,200 from rent and \$32,867 from donations. They currently have two tenants each paying \$400 a month. In 2024, income was from rent collected of \$6,600, and donations of \$89,779.
- In reviewing their reports, expenses appear to be related to the building in regard to water bills, mortgage payments, and minor improvements. They did spend \$18,000 in June as the first of three payments to Legacy Collision to rehabilitate the marquee. There didn’t appear to be an expense for building insurance, however there is a mortgage on the building.
- MATA is making a monthly payment to SeaComm of \$455. Loan of \$42,875 closed on 6/29/2021 and matures 7/2036 with an outstanding balance of \$36,934.
- Interest on a \$1,500,000 loan for one year would be \$53,437.50 if the entire amount were disbursed and outstanding for one year. MATA will need to continue to fundraise to cover this cost.

Balance Sheet

	12/31/2024
Current Assets	\$48,775
Fixed Assets	\$85,000
Total Assets	\$133,775
Current Liabilities	\$0
Long-Term Liabilities	\$36,934
Total Liabilities	\$36,934
Net Assets	\$96,841
Total Liabilities & Net Assets	\$133,775

**Economic Development Loan Fund-
Draft Confidential**

- The current asset is comprised of cash. They have been fundraising and receiving some rental income from tenants. They have the \$25,000 cash match on hand for the Core of the Community grant.
- The fixed asset is based on an appraisal of the building dated 4/25/2024.
- The debt is the mortgage with SeaComm toward the acquisition of the building.

Credit:

The Logic Score for MATA is medium risk score of 55, with a warning business failure assessment. There are no days beyond terms reported, current or historical. It has no derogatory public records, collection accounts, or pending lawsuits. It has no trade lines established.

Collateral Analysis

- Co-proportional second mortgage and assignment of rents and leases with the St. Lawrence County IDA LDC and SeaComm Federal Credit Union behind a SeaComm Federal Credit Union existing mortgage on 63-67 Main Street, Massena, NY 13662.

	Cost	Discount
Real estate as is 4/25/2024	\$85,000	
@ 75%		\$63,750
Improvements	\$2,193,765	
@ 75%		\$1,645,324
FFE	\$476,827	
@ 50%		\$237,414
Total Collateral	\$2,755,592	\$1,946,488
SeaComm FCU (existing)	\$38,000	\$38,000
DANC/SLCIDALDC/SeaComm	<u>\$1,500,000</u>	<u>\$1,500,000</u>
Total Debt	\$1,538,000	\$1,538,000
LTV:	.56	.79

- Third party broker opinion dated April 25, 2024 provided value of \$85,000.
- Assessed value of property is \$35,000 and an appraisal has the value of the building at \$85,000. SeaComm FCU has a mortgage with a balance of \$38,271.

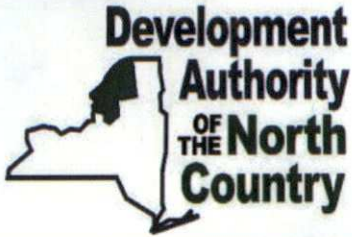
Contingencies:

- DRI Core of the Community grant of \$100,000
- RESTORE NY grant commitment
- NYPA Power Proceeds grant commitment
- SeaComm Federal Credit Union funding of \$500,000
- St. Lawrence County IDA LDC funding of \$500,000
- Proof of building liability insurance
- All necessary permits and approvals
- Authority engineering staff to provide inspection services at a cost not to exceed \$4,000

**Economic Development Loan Fund-
Draft Confidential**

STAFF RECOMMENDATION:

Staff recommends a loan of up to \$500,000 from the Economic Development Loan Fund to the Massena Arts and Theater Association Inc. based upon the terms and conditions above.



Board Resolution No. 2025-03-29
March 27, 2025

NORTH COUNTRY REDEVELOPMENT LOAN FUND
ST. LAWRENCE COUNTY INDUSTRIAL DEVELOPMENT AGENCY
RATIFYING LOAN

Whereas, **Resolution No. 2015-08-91** established the North Country Redevelopment Fund, and

Whereas, the Regional Loan Review Committee can make commitments for loans up to \$250,000, and grants up to \$250,000, for a total combined grant/loan amount of \$500,000 with the Authority Board ratifying the request at its next meeting, and

Whereas, the Regional Loan Review Committee met on March 14, 2025 to review an application from the St. Lawrence County Industrial Development Agency, and

Whereas, the St. Lawrence County Industrial Development Agency proposes to make improvements to the currently vacant building located at 30 Buck Street, Canton, in order to market it to potential tenants targeting agribusinesses, and

Whereas, this building meets the criteria for the North Country Redevelopment Fund, and

Whereas, the Regional Loan Committee is recommending a commitment of up to \$200,000, comprised of a \$100,000 loan and a \$100,000 grant consistent with the program guidelines.

Now, therefore be it

RESOLVED, the Development Authority of the North Country does hereby ratify the grant/loan commitment in the amount of up to \$200,000 (\$100,000 loan/\$100,000 grant) from the North Country Redevelopment Fund to the St. Lawrence County Industrial Development Agency at the terms and conditions outlined on the attached Term Sheet, consistent with the Empire State Development program requirements, and further authorizes the Executive Director or Chief Financial Officer to execute all documents necessary to make the loan, and be it further

RESOLVED, this is considered a Type II Action under the State Environmental Quality Review (SEQRA) and is considered an exempt activity requiring no further action.

Motion by: D. Mastascusa
Seconded by: E. Virkler

Voting:

Bibbins – **Yes***

Doheny – **Yes**

Hall – **Abstained**

Hefferon – **Yes**

MacKinnon - **Yes**

Mastascusa -**Yes**

Murray – **Yes***

Virkler – **Yes**

Non-Voting:

Henry – **Present**

Hunt – **Present**

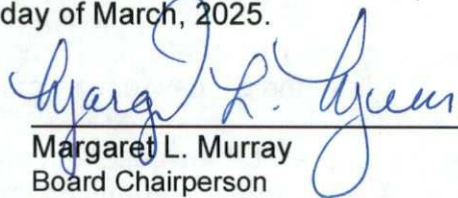
McGrath – **Present***

* - indicates attendance via videoconference.

+ - indicates voting member attending using audio only, unable to vote.

DEVELOPMENT AUTHORITY OF THE NORTH COUNTRY

I, the undersigned, Chairperson of the Board of Directors of the Development Authority of the North Country, do hereby certify that I have compared the foregoing copy of Resolution No. 2025-03-29 of the Development Authority of the North Country with the original adopted by the Development Authority of the North Country at a meeting of said Authority on the 27th day of March, 2025, and that same is a true and correct copy of such resolution. In testimony whereof, I have hereto set my hand this 27th day of March, 2025.



Margaret L. Murray
Board Chairperson

TERM SHEET

Borrower: St. Lawrence County Industrial Development Agency

Loan Fund: North Country Redevelopment Fund

Amount: up to \$200,000 (\$100,000 loan/\$100,000 grant)
(New York State Empire State Development Funding); grant
to loan always 1:1

Loan Term: 240 months

Loan Rate: 1%

Loan Payment: Annual principal and interest payments to fully amortize the
loan over 240 months

Collateral: None

Guarantors: St. Lawrence County Industrial Development Agency

Conditions: -Owner cash equity of \$50,000
-Loan may be disbursed as construction financing.
-Recapture Provision over 10 years on grant portion
-All necessary permits and approvals

North Country Economic Development Fund
March 19, 2025

BORROWER: St. Lawrence County Industrial Development Agency

BUSINESS ADDRESS: 19 Commerce Lane #1, Canton, NY 13617

PROJECT ADDRESS: 30 Buck Street, Canton, NY 13617(parcel #88.050-2-1.1)

BOARD MEMBERS: Brian Staples-Chair
Ernest LaBaff-Secretary
Lynn Blevins-Vice Chair
Mark Hall
Andrew McMahon
James Reagen
Steven Morrill

AMOUNT REQUESTED: \$200,000 (\$100,000 Loan/\$100,000 Grant)

TERM/RATE: 20 years @ 1%

PAYMENTS: Annual

PRIMARY COLLATERAL: Guarantee of IDA

GUARANTORS: St. Lawrence County IDA

JOB CREATION: Existing: 0 tenants will create jobs
New-Year 1: 0
New-Year 2: 0
New- Year 3: 0
Total Jobs: 0 FTE

SOURCES:		USES:	
North Country Redevelopment Dev Fund	\$200,000	Improvements**	\$ 250,000
Owner Cash*	<u>\$50,000</u>		
Total Sources	\$250,000	Total Uses	<u>\$ 250,000</u>

*Cash injected by St. Lawrence Property Development Corporation on improvements to date and included below.

**Improvements:

Lighting & electrical upgrades	\$ 60,000
Replacing doors and windows	\$ 50,000
HVAC/water line infrastructure	\$ 90,000
Masonry work	<u>\$ 50,000</u>
Total	\$250,000

St. Lawrence County IDA-Kraft Building

North Country Economic Development Fund
March 19, 2025

PROJECT OVERVIEW:

St. Lawrence County Industrial Development Agency is requesting \$200,000 from the North Country Redevelopment Fund (\$100,000 loan/\$100,000 grant) to complete select improvements to the building located at 30 Buck Street, Canton, known as the former Kraft building.

The St. Lawrence County Industrial Development Agency ("IDA") and its affiliated corporation, the St. Lawrence County Property Development Corporation, have acquired a former Kraft cheese processing plant at 30 Buck Street in Canton (see attached "Exhibit A – 30 Buck Street Property").

This ~100,000 sf facility has been underutilized for 20+ years and has been vacant for a year. The facility has a history of processing, storing, and distributing cheddar cheese and has much of the on-site infrastructure needed to once again be utilized as a production facility for dairy, food, or other products. However, much of this infrastructure, as well as the building itself, is in need of rehabilitation and upgrade.

Kraft Foods produced cheddar cheese in the facility from the 1950s until 2004. From 2004 until early 2024, portions of the facility were used by different companies for the cleaning and reconditioning of cheese storage crates. The crates, which are utilized for the storing and aging of cheese, were cleaned and then coated with wax to in order for the crates to be reused. These activities utilized significantly less workers than cheese production and have left the facility in need of rehabilitation and redevelopment to prepare it for future use.

The IDA will renovate the building and market the site to bring it back into productive use for food processing or other manufacturing activity. Initial work funded by this application will include lighting and electrical upgrades, replacing doors and windows, HVAC and water line infrastructure, and masonry work.

The work will begin in early summer and will be completed this year. The IDA will then start another phase to bring the rest of the interior up to date based on the needs of an interested manufacturer/distribution. The IDA has a record of successfully rehabilitating vacant, deteriorating manufacturing sites and putting them back into productive use.

St. Lawrence County has had recent success in attracting businesses from outside the area to locate in the North Country. Its industrial spaces are in demand, and they are running short on acceptable properties to show perspective clients. The 100,000 sq ft Buck Street property is ideally located for companies seeking to serve the northeastern US as well as eastern Canadian markets and retains much of the needed infrastructure and capacity for food production or other large-scale manufacturing activities.

In 2022, the IDA completed the renovation of the former Newell Factory in Ogdensburg, NY. Today there are two companies using the building for manufacturing and warehousing. In 2023, the IDA worked with North American Forest Group to start up a sawmill and pallet making facility in an abandoned factory in the Town of Oswegatchie. Both projects were made possible with significant help and partnership with the Development Authority of the North Country. This application is for the initial stage of securing the envelope and doing some interior renovation.

In addition to its own investment, the IDA will aggressively seek outside funding for the project through the Northern Border Commission and will seek to partner with the Village of Canton to apply for a Restore New York Grant once those grants become available. National Grid also has programs that assist in the redevelopment of vacant factories, and the IDA has experience

North Country Economic Development Fund
March 19, 2025

working with each of these funding sources, and private industry partners, in the past to fast-track the redevelopment of properties like the 30 Buck Street property.

The project goals are to rehabilitate and renovate an abandoned manufacturing facility that will bring increased manufacturing and distribution jobs to the Canton area thereby ensuring people from the area can participate in productive economic activities and enhance the region's standard of living. This project achieves many of the North County Regional Economic Development Council goals of:

- energiz(ing) our communities through growth in manufacturing sectors including...agriculture;
- creat(ing) the needed infrastructure and sites aligned with economic growth;
- maintain, establish and expand storage, processing and distribution systems in the region to promote the sale of value-added agricultural products that are sold locally, regionally, and globally.

When the project is complete the region will benefit by having an improved manufacturing site creating jobs for its citizens and increasing the tax base. An added benefit would be realized if a dairy processing operation were to occupy the building, supporting dairy farmers from the North Country by providing an additional, local outlet for milk.



MANAGEMENT:

The property is currently owned by the St. Lawrence County Property Development Corporation. The IDA has an agreement with the Property Development Corporation to redevelop the property. The Property Development Corporation is a sister-entity to the IDA.

North Country Economic Development Fund
March 19, 2025

FINANCIAL ANALYSIS:

Income Statement

FYE December 31	Actual	Actual	Actual	Budget
	2022	2023	2024	2025
Total Revenues	\$3,017,672	\$1,081,639	\$4,168,212	\$2,002,174
Total Expenses	\$2,039,624	\$1,310,117	\$2,187,065	\$2,806,164
Other Income/(Expenses)	\$0	\$0	\$0	\$0
Change in Net Position	\$978,048	(\$228,478)	\$1,198,147	(\$803,990)

- Audits were provided for FYE 2022 and 2023. FYE 2024 information was internally prepared and in draft (had not been reviewed by the board of directors yet). The budget was from PARIS.
- Primary revenues in 2022 and 2023 were from project fees of \$1,501,414 and \$422,366 respectively, and administrative fees of \$357,200 and \$407,200 respectively. In 2022, the IDA received a grant of \$870,666 for the Newton Falls Rail Repair and \$5,055 from a USDA Rural Business grant. In 2023, 57.9% of revenue was from ARPA Program, 17.9% was from project fees, and 17.1% was from administrative revenue.
- Non-operating revenues from ARPA grant income were \$119,500 in 2022 and \$1,375,526 in 2023.
- Outside of project expenses, the primary administrative operating expenses in 2023 were salaries and wages of \$501,911, employee benefits of \$201,577, payroll taxes of \$35,855, and data processing services of \$28,320.
- Most of the income through December 31, 2024 is from ARPA Program totaling \$1,422,774. The IDA administered several micro grants utilizing ARPA funds passed through from the County. ARPA related expenditures totaled \$1,267,723. In 2024, the IDA also received \$1,567,319 in project fees.
- Most of the expenses through December 31, 2024 outside of ARPA Program are general operating expenses primarily in payroll expenses, \$584,520, employee benefits, \$58,602, payroll taxes, \$38,015, and depreciation, \$815,677.

Cash Flow Analysis

- No cash flow analysis was completed. The IDA has sufficient cash on hand to repay the debt.

North Country Economic Development Fund
March 19, 2025

Balance Sheet

FYE December 31	Actual 2022	Actual 2023	Actual 2024
Current Assets	\$7,276,874	\$7,746,894	\$7,502,994
Long Term Assets – Net	\$2,864,282	\$3,405,035	\$4,103,258
Total Assets	\$10,141,156	\$11,151,929	\$11,606,252
Deferred Outflows of Resources	\$1,071,561	\$911,388	\$911,388
Total Assets and Deferred Outflows of Resources	\$11,212,717	\$12,063,317	\$12,517,640
Current Liabilities	\$522,424	\$1,896,536	\$304,956
Long Term Liabilities	\$3,489,566	\$3,183,107	\$3,247,863
Total Liabilities	\$4,011,990	\$5,079,643	\$3,552,819
Deferred Inflows of Resources	\$885,728	\$897,153	\$897,153
Total Net Position	\$6,314,999	\$6,086,521	\$8,067,669
Total Liabilities, Deferred Outflows of Resources, and Net Position	\$11,212,717	\$12,063,317	\$12,517,641

Ratio Analysis

Working Capital	\$6,754,450	\$5,850,358	\$7,198,038
Current Ratio	13.92	4.08	24.6
Debt/Worth	.64	.83	.44

- Total assets increased in 2023 over 2022 due primarily to an increase in cash and equivalents of \$721,181, and a \$100,000 increase to capital assets.
- Deferred inflows of resources represents an acquisition of net position that applies to a future period(s) and so will not be recognized as inflow of resources (revenue) until that time. The Agency has two items that meet that criterion: OPEB and pension related deferrals. Deferred outflows of resources represents consumption of net position that applies to a future period(s) and so will not be recognized as an outflow of resources (expense) until then. The IDA has two items that meet this criterion: OPEB and pension plan contributions.
- The long-term liabilities include compensated absences of \$306,082 in 2022 and \$300,664 in 2023, postemployment benefits other than pensions of \$2,682,545 in 2022 and \$2,093,793 in 2023, long-term debt less current portion of \$22,560 in 2022 and 2023, and net pension liability-proportionate share of \$0 in 2022 and \$310,384 in 2023.
- They reflect \$1,750,707 in unrestricted-unassigned cash in their net position on 12/31/23. This is down almost \$1 million from 2022.

North Country Economic Development Fund
March 19, 2025

CORPORATE:

Applicant has had five loans with the Authority. The IDA also had a Redevelopment loan/grant for \$500,000 for the J&L site. They repaid the loan portion of \$250,000. The rest of the loans were paid as agreed.

COLLATERAL:

The guarantee of the St. Lawrence County Industrial Development Agency

CONTINGENCIES:

1. Minimum \$50,000 owner cash contribution
2. Loan may be disbursed as a construction loan
3. Recapture provision over 10 years declining by 10% annually.