



NEW YORK STATE OLYMPIC REGIONAL DEVELOPMENT AUTHORITY

Resolution # 417

RESOLUTION APPROVING THE CHAIR'S APPOINTMENT OF THE MEMBERS OF THE COMMITTEES OF THE ORDA BOARD OF DIRECTORS

At a meeting of the Board of Directors of the Olympic Regional Development Authority ("ORDA") held on June 25, 2021, the Chair offered the following resolution:

WHEREAS, pursuant to the By-Laws of the New York State Olympic Regional Development Authority ("ORDA By-Laws"), Article II Section 2, the ORDA Board of Directors ("ORDA Board") is required to have an Executive Committee that consists of "not less than three members [who are] authorized to transact the AUTHORITY'S business between meetings of the Board of Directors, subject to any limitation imposed by the Board", the Chair of which shall be the Chair of the Board, and at least one of the members of which shall be one of the members of the Board designated by the Town of North Elba, and the duties of which further include the responsibility to recommend a program of insurance for ORDA to the full Board, as well as certain financial and budget preparation responsibilities; and

WHEREAS, pursuant to both Public Authorities Law § 2824 (4) and the ORDA By-Laws, Article II Section 3, the ORDA Board is required to have an Audit Committee that consists of at least three independent members with the skill necessary to understand the duties and functions of the audit committee, which among other things includes the responsibility for the hiring of an independent auditor and the oversight of the annual audit process for the Authority; and

WHEREAS, pursuant to the ORDA By-Laws, Article II Section 4, the ORDA Board Chair is authorized to establish other committees and select their members; and

WHEREAS, pursuant to Public Authorities Law § 2824 (7), the ORDA Board is required to have a Governance Committee comprised of at least three members, the duties and functions of which include reviewing and keeping the Board informed of best governance practices, corporate board trends, and ethical and conflict of interest rules, recommending updates to the authority's corporate governance principles, recommending by-laws that include rules and procedures for the conduct of Board business; and advising appointing authorities on the skills and experiences required of potential Board members; and

WHEREAS, pursuant to the ORDA By-Laws, Article II Section 1, the Chair is to appoint the members of the Board Committees, subject to approval by the Board; and

WHEREAS, the Chair has made the following appointments to the following Committees:

- Executive – Kelly Cummings (Chair), Betty Little, Art Lussi;
- Audit – Bill Beaney, Cliff Donaldson, Jeff Stefanko, Elinor Tatum;
- Governance – Steve Hunt, Diane Munro, Chris Pushkarsh.

NOW THEREFORE, BE IT RESOLVED that the Board hereby approves the Chair’s appointments to the named Committees as set forth herein, in accordance with the requirements of the Public Authorities Law and the ORDA By-Laws.

SO RESOLVED,

MOVED BY: Andy Lack

SECONDED BY: Cliff Donaldson

and

ADOPTED BY the following vote:

Kelly Cummings
Cliff Donaldson
Steve Hunt
Andy Lack
Betty Little
Art Lussi
Andy Fyfe
Jeff Stefanko
Elinor Tatum

Excused/Abstained:

Bill Beaney (e)
Frank Cardinale (a)
Diane Munro (a)

Against:

Emily Stanton, Secretary to the Board, being duly sworn, deposes and says:

The above Resolution #417 was duly passed by the Board of Directors on June 25, 2021.

Signature Emily Stanton

Title: Secretary to the Board of Directors

Sworn before me this 30th day of June 2021

Notary Public, State of New York

Lisa L. Wieboldt
 LISA L. WIEBOLDT

Notary Public, State of New York
 Clinton County, No. 01WI6198948
 Commission Expires 01/05/2022

NEW YORK STATE OLYMPIC REGIONAL DEVELOPMENT AUTHORITY

Resolution # 418

RESOLUTION APPROVING THE OLYMPIC REGIONAL DEVELOPMENT AUTHORITY ANNUAL OPERATING BUDGET AND CAPITAL APPROPRIATION FOR FISCAL YEAR (FY) 2021-2022 AND TO TAKE RELATED ACTIONS

WHEREAS, ORDA’s Fiscal Year (“FY”) 2021-2022 operating budget was submitted to the Public Authorities Reporting Information System (“PARIS”) in December of 2020;

WHEREAS, ORDA’s capital appropriations for FY 2021-2022 was submitted to the Division of Budget and recommended in the Governor’s FY 2021-2022 Executive Budget; and

WHEREAS, the FY 2021-2022 New York State budget was enacted on or about April 1, 2021, which budget contained an appropriation to ORDA in the amount of \$105,000,000 in capital improvements, and operational funding in the amount of \$13,940,000; and

WHEREAS, annexed hereto and made a part hereof as if fully restated herein is ORDA’s FY 2021-2022 operating and capital budgets, together with ORDA’s FY 2020-2021 Revenue/Expense Report; and

NOW THEREFORE, BE IT RESOLVED that the Board, having reviewed the FY 2021-2022 budget, hereby approves said budget and further directs that it be submitted to the Office of the New York State Comptroller and made publicly available pursuant to the requirements of 2 NYCRR § 203.4.

SO RESOLVED,

MOVED BY: *Betty Little*

SECONDED BY: *Elinor Tatum*

and

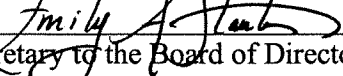
ADOPTED BY the following vote:
Kelly Cummings
Cliff Donaldson
Steve Hunt
Andy Lack
Betty Little
Art Lussi
Andy Fyfe
Jeff StefanKo
Elinor Tatum

Excused/Abstained:
Bill Beaney (E)
Frank Cardinale (A)
Diane Munro (A)

Against:

Emily Stanton, Secretary to the Board, being duly sworn, deposes and says:

The above Resolution # 418 was duly passed by the Board of Directors on June 25, 2021.

Signature 
Title: Secretary to the Board of Directors

Sworn before me this 30th day of June 2021
Notary Public, State of New York



LISA L. WIEBOLDT
Notary Public, State of New York
Clinton County, No. 01WI6198948
Commission Expires 01/05/2025

New York State Olympic Regional Development Authority
Operating Budget
for Fiscal Year 2021/2022

Revenue & Financial Sources

Operating Revenues	
Charges for Services	\$37,300,000
Rentals & Financing Income	\$0
Other Operating Revenues	\$3,910,000
Non-Operating Revenues	
Investment Earnings	\$25
State Subsidies / Grants	\$14,940,000
Federal Subsidies / Grants	\$0
Municipal Subsidies / Grants	\$750,000
Public Authority Subsidies	\$0
Other Non-Operating Revenues	\$0
Proceeds from the Issuance of Debt	\$0
Total Revenues & Financing Sources	\$56,900,025

Expenditures

Operating Expenditures	
Salaries and Wages	\$28,193,775
Other Employee Benefits	\$15,201,412
Professional Services Contracts	\$250,000
Supplies and Materials	\$2,000,000
Other Operating Expenditures	\$13,620,000
Non-Operating Expenditures	
Payment of Principal on Bonds and Financing Arrangements	\$254,838
Interest and other Financing Charges	\$375,000
Subsidies to Other Public Authorities	\$0
Grants and Donations	\$0
Other Non-Operating Expenditures	\$0
Total Expenditures	\$59,895,025
 Excess (Deficiency) of Revenues and Capital Contributions Over Expenditures	 -\$2,995,000

**New York State Olympic Regional Development Authority
Capital Budget
for Fiscal Year 2021/2022**

ORDA Facility Modernization	\$92,500,000.00
Olympic Facilities Preservation	\$10,000,000
Parks NYS Works	<u>\$2,500,000</u>
Total	<u><u>\$12,500,000</u></u>

The New York State Olympic Regional Development Authority
Revenue/Expense Report
As of March 31, 2021
Reporting Book:
As of Date:

ACCRUAL
03/31/2021

	Month Ending		Month Ending		Month Ending		Month Ending		Year To Date			Prior Year To Date		Year To Date						
	03/31/2021		03/31/2021		03/31/2020		03/31/2021		03/31/2021			03/31/2020		03/31/2021						
	Actual	Operational Budget	Budget % Var	Actual	Period % Var	Actual	Period % Var	Actual	Operational Budget	Budget % Var	Actual	Period % Var	Actual	Period % Var						
Revenue																				
Tour Pkg, Area, Event Admissions	156,111.10	264,732.00	(41.03) %	180,869.59	(13.68) %	3,441,526.87	5,756,819.00	(40.21) %	4,488,677.66	(23.29) %	3,870,979.68	5,501,385.00	(29.63) %	3,088,970.59	25.31 %	27,137,271.54	25,691,051.00	5.82 %	23,700,095.55	14.50 %
Snow Sports, Skating & Activities	569,219.86	405,079.00	40.52 %	209,463.38	171.75 %	3,014,623.10	2,820,993.00	6.86 %	3,209,352.04	(6.06) %	61,191.20	83,190.00	(26.44) %	34,214.17	78.84 %	430,178.57	753,611.00	(42.91) %	644,737.06	(33.27) %
Venue Rental	257,717.27	826,148.00	(68.80) %	190,775.20	35.08 %	1,376,149.64	2,305,330.00	(40.30) %	2,235,086.98	(38.42) %	67,417.04	107,310.00	(37.17) %	90,500.06	(25.50) %	765,915.34	991,238.00	(22.73) %	978,844.84	(21.75) %
Concession Revenue	36,397.40	75,411.00	(51.73) %	25,243.61	44.18 %	409,187.47	650,078.00	(37.05) %	597,493.12	(31.51) %	2,673.09	6,166.00	(56.64) %	3,290.36	(16.75) %	27,222.06	57,577.00	(52.72) %	38,402.81	(29.11) %
Food and Beverage	0.00	24,161.00	(100.00) %	443.75	(100.00) %	9,882.00	83,892.00	(88.22) %	73,294.77	(66.51) %	0.00	0.00	(100.00) %	0.00	(100.00) %	83,892.00	83,892.00	0.00 %	73,294.77	(66.51) %
Media, Brochure Ads	(64,796.05)	18,437.00	(451.44) %	83,358.64	(177.73) %	1,097,551.98	301,439.00	264.10 %	293,050.30	267.01 %	0.00	0.00	(100.00) %	0.00	(100.00) %	301,439.00	301,439.00	0.00 %	293,050.30	267.01 %
Other Revenue																				
Total Revenue	4,956,910.59	7,312,019.00	(32.20) %	3,907,128.78	26.86 %	37,709,508.57	39,412,028.00	(4.31) %	36,263,035.13	3.98 %										
Personal Services																				
Personal Services Expenses																				
Management/Confidential	816,181.26	540,363.00	51.03 %	536,173.56	62.21 %	6,727,174.06	6,583,983.00	2.17 %	6,097,274.85	10.33 %	2,000,184.93	2,575,043.00	(22.32) %	2,134,752.11	(6.30) %	12,547,880.01	15,674,190.00	(19.94) %	14,466,398.61	(13.26) %
Hourly Employees	166,922.75	121,632.00	37.23 %	88,231.61	89.18 %	1,102,054.55	1,406,172.00	(21.62) %	1,347,875.84	(18.23) %	210,067.67	235,710.00	(10.87) %	156,067.92	34.60 %	1,742,205.93	2,615,341.00	(33.38) %	1,944,290.89	(10.39) %
Overtime	0.00	0.00	0.00 %	0.00	0.00 %	0.00	0.00	0.00 %	0.00	0.00 %	0.00	0.00	0.00 %	0.00	0.00 %	0.00	0.00	0.00 %	0.00	0.00 %
Vac, Sick, Personal & Other	3,193,336.61	3,472,748.00	(8.04) %	2,915,225.20	9.53 %	22,119,314.55	26,279,686.00	(15.83) %	23,855,840.19	(7.27) %										
Total Personal Services Expenses																				
Payroll Added Costs																				
Payroll Taxes	370,344.88	132,766.00	178.94 %	220,416.96	68.02 %	1,986,007.70	2,338,912.00	(15.08) %	2,019,086.64	(1.63) %	3,280,557.00	0.00	100.00 %	441,703.00	642.70 %	5,596,172.00	2,416,382.00	131.59 %	2,585,204.62	116.46 %
Retirement Expense	141,595.03	231,572.00	(38.85) %	453,961.00	(68.80) %	1,903,823.42	2,940,511.00	(35.25) %	1,937,609.10	(1.74) %	141,595.03	231,572.00	(38.85) %	453,961.00	(68.80) %	1,903,823.42	2,940,511.00	(35.25) %	1,937,609.10	(1.74) %
Worker's Comp Expense	617,777.68	674,768.00	(8.44) %	603,168.93	2.42 %	5,352,368.25	6,725,514.00	(20.41) %	5,379,492.16	(0.50) %	3,938,199.00	0.00	100.00 %	1,371,883.00	187.06 %	3,938,199.00	0.00	100.00 %	1,371,883.00	187.06 %
Health Insurance Expense	0.00	0.00	0.00 %	0.00	0.00 %	0.00	0.00	0.00 %	0.00	0.00 %	0.00	0.00	0.00 %	0.00	0.00 %	0.00	0.00	0.00 %	0.00	0.00 %
OPEB Operating Expense	8,348,473.59	1,039,106.00	703.42 %	3,091,132.69	170.07 %	18,776,570.37	14,421,319.00	30.20 %	13,293,275.52	41.24 %										
Total Payroll Added Costs																				
Total Personal Services	11,541,810.20	4,511,854.00	155.81 %	6,006,358.09	92.15 %	40,695,884.92	40,701,005.00	0.47 %	37,149,115.71	10.08 %										
Capitalized Labor	(3,082.76)	0.00	100.00 %	0.00	100.00 %	(526,996.14)	(748,439.00)	(29.58) %	(1,078,956.99)	(51.20) %										
Net Personal Services	11,538,727.44	4,511,854.00	155.74 %	6,006,358.09	92.10 %	40,368,888.78	39,952,566.00	1.04 %	36,069,158.72	11.92 %										
Non-Personal Services																				
Supplies & Materials	269,630.02	144,594.00	86.47 %	154,822.90	74.37 %	1,447,924.78	1,779,303.00	(18.62) %	2,058,127.43	(29.64) %	(186,894.78)	20,621.00	(909.34) %	25,515.61	(754.08) %	80,984.49	440,495.00	(86.15) %	399,897.09	(84.74) %
Cost of Goods Sold	1,340,658.89	443,809.00	202.08 %	638,707.22	109.90 %	5,271,697.06	5,750,810.00	(8.33) %	4,863,793.31	6.38 %	2,440,75	33,739.00	(27.55) %	29,450.32	(17.01) %	219,377.97	393,402.00	(44.23) %	327,525.82	(33.01) %
Utilities & Fuel	24,899.28	560,620.00	(95.55) %	544,920.92	(95.43) %	4,971,937.87	3,798,148.00	30.90 %	4,415,813.90	12.59 %	11,040.73	476,510.00	(97.68) %	203,936.07	(94.58) %	140,533.01	2,339,770.00	(93.99) %	1,812,756.15	(92.24) %
Travel & Communications	55,404.45	386,683.00	(85.67) %	289,104.74	(80.83) %	149,024.07	1,298,448.00	(88.50) %	975,106.98	(84.71) %										
Contractual Services																				
Event Expense																				
Marketing Expense																				
Total Non-Personal Services	1,559,179.34	2,066,576.00	(24.55) %	1,886,257.78	(17.34) %	12,261,479.25	15,798,376.00	(22.38) %	14,853,020.68	(17.44) %										
Total Expenses	13,097,906.78	6,578,430.00	99.10 %	7,892,615.87	65.95 %	52,630,368.03	55,750,942.00	(5.59) %	50,922,179.40	3.35 %										
Net Operating Income Excl'd Depr	(8,140,996.19)	733,589.00	(1,209.74) %	(3,985,487.09)	104.26 %	(14,920,859.46)	(16,338,914.00)	(8.67) %	(14,659,144.27)	1.78 %										
Add Back OPEB	3,938,199.00	0.00		1,371,883.00		3,938,199.00	0.00		1,371,883.00											
Net Income(Loss) before Depr & OPEB	(4,202,797.19)	733,589.00		(2,613,604.09)		(10,982,660.46)	(16,338,914.00)		(13,287,261.27)											
Depreciation & Amortization	2,852,347.27	0.00	100.00 %	2,188,961.40	30.30 %	15,378,457.68	0.00	100.00 %	12,555,074.26	22.48 %										
Net Operating Income (Loss) after Depr	(10,993,343.46)	733,589.00	(1,598.56) %	(6,174,448.49)	78.04 %	(30,299,317.14)	(16,338,914.00)	85.44 %	(27,214,218.53)	11.33 %										
Non-Operating Income (Expense)																				
NYS Appropriations	2,546,000.00	940,000.00	170.85 %	940,000.00	170.85 %	12,546,000.00	13,940,000.00	(10.00) %	10,940,000.00	14.88 %	0.00	0.00	0.00 %	0.00	0.00 %	750,000.00	750,145.00	(0.01) %	750,000.00	0.00 %
Town of North Elba Contribution	1,000,000.00	0.00	100.00 %	1,000,000.00	0.00 %	1,000,000.00	1,000,000.00	0.00 %	1,000,000.00	0.00 %	0.00	0.00	0.00 %	0.00	0.00 %	0.00	0.00	0.00 %	0.00	0.00 %
EPF Grant	0.00	0.00	0.00 %	0.00	0.00 %	4,903.73	0.00	100.00 %	16,155.04	(69.64) %	0.00	0.00	0.00 %	0.00	0.00 %	21.78	0.00	100.00 %	28.91	(24.66) %
Energy Curtailment	0.01	0.00	100.00 %	4.48	(99.77) %	21.78	0.00	100.00 %	28.91	(24.66) %										
Interest Revenue																				
Total Non-Operating Income (Expense)	3,546,000.01	940,000.00		1,940,004.48		14,300,925.51	15,690,145.00		12,706,183.95											
Net Inc/(Loss) Prior to Capital Contributions	(7,447,343.45)	1,673,589.00		(4,234,444.01)		(15,998,391.83)	(648,769.00)		(14,508,034.58)											
Add back Depr & OPEB	6,790,546.27	0.00		3,560,844.40		19,316,656.68	0.00		13,926,957.26											
Net Inc/(Loss) Prior to Capital, Depr, OPEB	(656,797.18)	1,673,589.00		(673,599.61)		3,318,265.05	(648,769.00)		(581,077.32)											
Fire Insurance Funds	0.00	0.00	0.00 %	0.00	0.00 %	820,933.44	0.00	100.00 %	0.00	100.00 %										
Interest Expense	(8,961.57)	(31,250.00)	(71.32) %	(17,042.04)	(47.41) %	(179,514.14)	(375,000.00)	(52.12) %	(317,314.01)	(43.42) %	(805,356.36)	0.00	100.00 %	(2,225,599.08)	(83.81) %	(805,884.36)	0.00	100.00 %	(2,153,333.80)	(62.57) %
Other Revenue (Expenses)	(172,878.68)</																			



NEW YORK STATE OLYMPIC REGIONAL DEVELOPMENT AUTHORITY

Resolution # 419

RESOLUTION APPROVING INDEPENDENT AUDITOR'S REPORT

At a meeting of the Board of Directors of the Olympic Regional Development Authority ("ORDA") held on June 25, 2021, the Chair offered the following resolution:

WHEREAS, pursuant to the requirements of Public Authorities Law § 2802, ORDA shall:

. . . submit to the governor, chairman and ranking minority member of the senate finance committee, chairman and ranking minority member of the assembly ways and means committee, each chair and ranking member of the senate and assembly committees on corporations, authorities and commissions, the state comptroller, and the authorities budget office, together with the report described in section twenty-eight hundred of this title [ORDA's Annual Report], a copy of the annual independent audit report, performed by a certified public accounting firm in accordance with generally accepted auditing standards as defined in subdivision eleven of section two of the state finance law, and management letter and any other external examination of the books and accounts . . . ; and

WHEREAS, the services of EFPR Group, CPAs, PLLC, a certified public accounting and consulting firm, have been retained by ORDA to complete an independent financial audit in compliance with Public Authorities Law § 2802; and

WHEREAS, annexed hereto and made a part hereof as if fully restated herein is the independent financial audit report; and

WHEREAS, the Board has been provided with the Independent Auditor's Report, an explanation of the independent auditor's methodology and findings, and an opportunity to make inquiries and/or comments; and

WHEREAS, the Board being satisfied with the contents of the Independent Auditor's Report and the financial statements of ORDA reflected therein;

NOW THEREFORE, BE IT RESOLVED that the Board hereby approves ORDA's Independent Auditor's Report submitted for its consideration, and further directs that said Report be forwarded to the proper legislative and executive officials in accordance with the requirements of Public Authorities Law § 2802 as set forth herein.

SO RESOLVED,

MOVED BY: *Cliff Donaldson*

SECONDED BY: *Jeff Stefanko*

and

ADOPTED BY the following vote:	Excused/Abstained:	Against:
<i>Kelly Cummings</i>	<i>Bill Beaney (E)</i>	_____
<i>Cliff Donaldson</i>	<i>Frank Cardinale (A)</i>	_____
<i>Steve Hunt</i>	<i>Diane Munro (A)</i>	_____
<i>Andy Lack</i>	_____	_____
<i>Betty Little</i>	_____	_____
<i>Art Lussi</i>	_____	_____
<i>Andy Fyfe</i>	_____	_____
<i>Jeff Stefanko</i>	_____	_____
<i>Eliner Tatum</i>	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

Emily Stanton, Secretary to the Board, being duly sworn, deposes and says:

The above Resolution # 419 was duly passed by the Board of Directors on June 25, 2021.

Signature *Emily Stanton*
Title: Secretary to the Board of Directors

Sworn before me this 30th day of June 2021
Notary Public, State of New York

Lisa L. Wieboldt
LISA L. WIEBOLDT
Notary Public, State of New York
Clinton County, No. 01W16198948
Commission Expires 01/05/2025



Resolution # 420

**RESOLUTION IN RECOGNITION OF OUTSTANDING EMPLOYEE
PERFORMANCE BY ORDA STAFF THROUGHOUT THE COVID-19 PANDEMIC**

At a meeting of the Board of Directors of the Olympic Regional Development Authority (“ORDA”) held on June 25, 2021, the Chair offered the following resolution:

WHEREAS, ORDA is a body corporate and politic constituting a public benefit corporation having the power, purposes and functions set forth in Article 8, Title 28 of the Public Authorities Law of the State of New York; and

WHEREAS, on March 7, 2020, Governor Andrew M. Cuomo declared a State disaster emergency for the entire State of New York due to the COVID-19 pandemic; and

WHEREAS, as a result, ORDA shut down operations at all of its venues on March 17, 2020; and

WHEREAS, on May 28, 2020, Governor Andrew A. Cuomo issued Executive Order No. 202.34 which provided, among other things, that as soon as a region of the State met certain prescribed public health and safety metrics, as determined by the New York State Department of Health, that region of the State was eligible for reopening; and

WHEREAS, Executive Order No. 202.34 recognized that the Capital District, Mid-Hudson and North Country regions of the State, where ORDA operates its facilities, met the prescribed health and safety metrics thereby permitting a reopening of its venues in accordance with the terms of the Executive Order; and

WHEREAS, ORDA implemented all necessary COVID-19 safety precautions and trained all staff on the proper safety procedures and protocols to enable it to implement its approved plan for reopening of the ORDA venues; and

WHEREAS, all ORDA staff worked diligently to successfully accomplish the reopening of the venues to the public on or about June 20, 2020; and

WHEREAS, in spite of the fact that ORDA had to shut down for approximately three months, and then reopen its venues at limited capacity, ORDA approached a near record season in revenue thanks to the hard work of its staff; and

WHEREAS, throughout the foregoing, there was not a single case of employee-to-employee COVID-19 transmission traced to any of its facilities, which is attributable to the staff’s conscientious adherence to all COVID-19 protocols while carrying out their duties in operating the ORDA venues; and

WHEREAS, the ORDA Board of Directors desires to recognize and congratulate all ORDA staff for their substantial contribution to ORDA's successes throughout the difficulties that were caused by the necessary restrictions and limitations imposed as a result of the COVID-19 pandemic; and

NOW THEREFORE, BE IT RESOLVED, that the ORDA Board of Directors hereby recognizes and thanks all of ORDA's staff, including full-time, part-time, and seasonal employees, for the unwavering dedication to their job responsibilities and excellent performance during a time of great burden and hardship and, in so doing, furthering the mission of ORDA to, amongst other things, institute comprehensive year-round programs and activities at its venues, enhance the physical health and recreational opportunities for its patrons, and organize a wide range of national and international athletic training programs and sporting events, including training and housing of amateur athletes in connection with the United States Olympic and Paralympic Committee's training center program.

SO RESOLVED,

MOVED BY: All Board Members

SECONDED BY: All Board Members

and

ADOPTED BY the following vote:	Excused/Abstained:	Against:
<u>Kelly Cummings</u>	<u>Bill Beaney (e)</u>	_____
<u>Frank Cardinale</u>	_____	_____
<u>Cliff Donaldson</u>	_____	_____
<u>Stephen Hunt</u>	_____	_____
<u>Andrew Lack</u>	_____	_____
<u>Betty Little</u>	_____	_____
<u>Art Lussi</u>	_____	_____
<u>Diane Munro</u>	_____	_____
<u>Andy Effe</u>	_____	_____
<u>Jeff Stefanko</u>	_____	_____
<u>Ellenor Tatum</u>	_____	_____

Emily Stanton, Secretary to the Board, being duly sworn, deposes and says:

The above Resolution # 420 was duly passed by the Board of Directors on June 25, 2021.

Signature Emily Stanton
Title: Secretary to the Board of Directors

Sworn before me this 30th day of June 2021
Notary Public, State of New York

Lisa L. Wieboldt
LISA L. WIEBOLDT
Notary Public, State of New York
Clinton County, No. 01WI6198948
Commission Expires 01/05/2022



NEW YORK STATE OLYMPIC REGIONAL DEVELOPMENT AUTHORITY

Resolution # 421

**RESOLUTION APPROVING OLYMPIC REGIONAL DEVELOPMENT AUTHORITY
ANNUAL REPORT**

At a meeting of the Board of Directors of the Olympic Regional Development Authority (“ORDA”) held on June 25, 2021, the Chair offered the following resolution:

WHEREAS, pursuant to Public Authorities Law §§ 2621, 2800, the Olympic Regional Development Authority is required, within ninety days after the end of its fiscal year, to submit to various executive, legislative and local officials, a complete and detailed report setting forth, *inter alia* (1) its operations and accomplishments (2) its receipts and expenditures during such fiscal year; and

WHEREAS, annexed hereto and made a part hereof as if fully restated herein is ORDA’s proposed Annual Report; and

WHEREAS, the Board is in receipt of the ORDA’s Annual Report; and

WHEREAS, the Board has been provided ample opportunity to review the contents of the Annual Report and has been provided with an opportunity to make inquiries and/or comments regarding its contents; and

WHEREAS, the Board being satisfied with the contents of the Annual Report;

NOW THEREFORE, BE IT RESOLVED that the Board hereby approves the Annual Report submitted for its consideration and directs that it be forwarded to the proper legislative, executive and local officials in accordance with Public Authorities Law § 2621.

SO RESOLVED,

MOVED BY: Betty Little

SECONDED BY: Elinor Tatum

and

ADOPTED BY the following vote:

Kelly Cummings
Cliff Donaldson
Steve Hunt
Andy Lack
Betty Little
Art Luzzi

Excused/Abstained:

Bill Beaney (E)
Frank Cardinale (A)
Diane Munro (A)

Against:

Andy Fyfe
Jeff Stefanko
Elinor Tatum

Emily Stanton, Secretary to the Board, being duly sworn, deposes and says:

The above Resolution # 421 was duly passed by the Board of Directors on June 25, 2021.

Signature Emily Stanton
Title: Secretary to the Board of Directors

Sworn before me this 30th day of June 2021
Notary Public, State of New York

Lisa L. Wieboldt
LISA L. WIEBOLDT
Notary Public, State of New York
Clinton County, No. 01WI6198948
Commission Expires 01/05/2025



NEW YORK STATE OLYMPIC REGIONAL DEVELOPMENT AUTHORITY

Resolution # 422

RESOLUTION APPROVING POLICY MAKERS
FOR 2021/2022

At a meeting of the Board of Directors of the Olympic Regional Development Authority (“ORDA”) held on June 25, 2021, the Chair offered the following resolution:

WHEREAS, pursuant to the provisions of Public Officers Law § 73-a, ORDA is required to submit a statement of Board Members and ORDA employees that have been determined to be policy makers; and

WHEREAS, the New York State Joint Commission on Public Ethics (“JCOPE”) has issued guidelines which define a “policy maker” as “[t]hose officers and employees who, as a regular and significant part of their official duties, are involved in formulating or implementing the goals and policies of the State or a State agency”; and

WHEREAS, using the definition of a “policy maker” issued by JCOPE, the following statement of names/titles have been approved by the Board of Directors;

THEREFORE, BE IT RESOLVED that the Board of Directors directs that the following names be reported to JCOPE for the purposes of establishing ORDA policy-makers:

Board Members:	Kelly Cummings	Chair
	DEC Commissioner Basil Seggos	Ex officio
	OPRHP Commissioner Erik Kulleseid	Ex officio
	ESD President/CEO Designate and	
	Acting Commissioner Eric Gertler	Ex officio
	William Beaney	
	Clifford Donaldson	
	Andrew Lack	
	Arthur Lussi	
	Betty Little	
	Diane Munro	
	Elinor Tatum	
	Frank Cardinale	
Policy Makers:	Michael Pratt	President/CEO
	Vero Piacentini	Vice President of Operations

Scott Christiansen
 Margaret Evatt
 David McKillip
 Terry Buczkowski
 Aaron Kellett
 James Bayse
 Bruce Transue
 Robert Hammond
 Michelle Crew
 Adam Powers
 Ed Kowalewski
 Rebecca Dayton
 Paul Wiley

Vice President of Sales & Marketing
 Director of Finance
 Human Resources Director
 Olympic Center General Mgr.
 Whiteface Mountain General Mgr.
 Gore Mountain General Mgr.
 Belleayre Mountain General Mgr.
 Director of Planning & Construction
 General Counsel
 Assistant Counsel
 Assistant Counsel
 Olympic Sports Complex General Mgr.
 Director of Sport

MOVED BY: Cliff Donaldson

SECONDED BY: Andy Lack

and

ADOPTED BY the following vote:

Kelly Cummings
Cliff Donaldson
Steve Hunt
Andy Lack
Betty Little
Art Lussi
Andy Fyfe
Jeff Stefanko
Elinor Tatum

Excused/Abstained:

Bill Beaney (E)
Frank Cardinale (A)
Diane Munro (A)

Against:

Emily Stanton, Secretary to the Board, being duly sworn, deposes and says:

The above Resolution # 422 was duly passed by the Board of Directors on June 25, 2021.

Signature Emily Stanton
 Title: Secretary to the Board of Directors

Sworn before me this 30th day of June 2021
 Notary Public, State of New York

Lisa L. Wieboldt

LISA L. WIEBOLDT
 Notary Public, State of New York
 Clinton County, No. 01W16198948
 Commission Expires 01/05/2025



NEW YORK STATE OLYMPIC REGIONAL DEVELOPMENT AUTHORITY

Resolution # 423

**RESOLUTION GRANTING APPROVAL FOR THE PRESIDENT & CEO TO ENTER
INTO A RENEWAL AND AMENDMENT OF THE CENTERPLATE CONCESSION
LICENSE**

At a meeting of the Board of Directors of the Olympic Regional Development Authority (ORDA) held on June 25, 2021, the Chair offered the following resolution:

WHEREAS, pursuant to Public Authorities Law § 2611 (12), the New York State Olympic Regional Development Authority (ORDA) has the power “[t]o operate, or contract for the operation of, concession services at any participating Olympic facility or the Belleayre Mountain ski center”; and

WHEREAS, ORDA has a current concession license contract with Service America Corporation d/b/a Centerplate (“Centerplate”), dated July 16, 2011 (the “2011 License Agreement”), pursuant to which Centerplate exclusively manages and operates the food and beverage services at all ORDA venues except Mount Van Hoevenberg, along with certain retail, and ski/snowboard and locker rentals; and

WHEREAS, the 2011 License Agreement has been amended by agreements dated October 9, 2013 (adding Belleayre Mountain to the Licensed Premises covered under the 2011 License Agreement), December 5, 2014 (removing Mount Van Hoevenberg from the Licensed Premises covered under the 2011 License Agreement), April 1, 2019 (removing the Olympic Center retail operation from the Licensed Premises covered under the 2011 License Agreement), and September 1, 2020 (among other things, clarifying the manner in which commissions are paid to ORDA under the terms of the 2011 License Agreement); and

WHEREAS, the 2011 License Agreement, as amended, is due to expire on July 15, 2021; and

WHEREAS, it is in the best interest of ORDA to renew the 2011 License Agreement until April 30, 2022, with certain specified amendments (“License Agreement Renewal and Amendment”); and

WHEREAS, in the interim ORDA will issue a Request For Proposals for a new concession agreement for the venues currently covered under the 2011 License Agreement, as amended; and

WHEREAS, the terms of the 2011 License Agreement provide for ORDA and Centerplate to renew the 2011 License Agreement in the manner set forth herein; and

WHEREAS, under the terms of the License Agreement Renewal and Amendment, Centerplate will continue to provide exclusive food and beverage services for the Lake Placid Conference Center, and the Whiteface Mountain, Gore Mountain, and Belleayre Mountain ski centers; and

WHEREAS, the amendments in the License Agreement Renewal and Amendment will include: the removal of the Olympic Jumping Complex from the list of Licensed Premises for which Centerplate will continue to provide food and beverage services; ORDA's assumption of all retail operations at the Licensed Premises; ORDA's assumption of all locker rental operations at the Licensed Premises; Centerplate's continued operation of the ski and snowboard rentals for the 2021-2022 ski season, subject to ORDA's approval of pricing and rental package product types; certain specified changes to the General Conditions of the 2011 License Agreement; and

WHEREAS, over the life of the 2011 License Agreement, as amended, its value exceeds \$250,000 in revenue for ORDA; and

WHEREAS, pursuant to ORDA's By-Laws, Art. VI § 2, which requires that the President & CEO obtain Board approval prior to entering into agreements the value of which will be in excess of \$250,000.00 or more over the life of the contract, the President & CEO has requested authority to enter into the proposed License Agreement Renewal and Amendment; and

THEREFORE, BE IT RESOLVED that the Board of Directors hereby authorizes the President & CEO to execute the License Agreement Renewal and Amendment under the circumstances and incorporating the terms described above.

SO RESOLVED,

MOVED BY: Art Lussi

SECONDED BY: Betty Little

and

ADOPTED BY the following vote:

Kelly Cummings
Cliff Donaldson
Steve Hunt
Andy Lack
Betty Little
Art Lussi
Andy Fyfe
Jeff Stefanko
Elinor Tatum

Excused/Abstained:

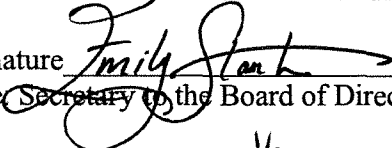
Bill Beaney (E)
Frank Cardinale (A)
Diane Munro (A)

Against:

Emily Stanton, Secretary to the Board, being duly sworn, deposes and says:

The above Resolution # 423 was duly passed by the Board of Directors on June 25, 2021.

Signature


Title Secretary to the Board of Directors

Sworn before me this 30th day of June 2021

Notary Public, State of New York



LISA L. WIEBOLDT

Notary Public, State of New York
Clinton County, No. 01WI6198948
Commission Expires 01/05/2025



NEW YORK STATE OLYMPIC REGIONAL DEVELOPMENT AUTHORITY

Resolution # 424

RESOLUTION COMMITTING CAPITAL AND GRANTING CONDITIONAL APPROVAL FOR THE PRESIDENT & CEO TO ENTER INTO AN AMENDED AGREEMENT FOR THE OLYMPIC SPORTS COMPLEX – MT. VAN HOEVENBERG BASE LODGE & SLIDING SPORTS FACILITY PROJECT

At a meeting of the Board of Directors of the Olympic Regional Development Authority (ORDA) held on June 25, 2021, the Chair offered the following resolution:

WHEREAS, on May 20, 2019, the Board of Directors (“Board”) approved Resolution #329 entitled “Resolution Committing Capital and Granting Conditional Approval for the President & CEO to Enter Into an Agreement for the Olympic Sports Complex – Mt. Van Hoevenberg Base Lodge & Sliding Sports Facility Project” (Contract No. OSC.18.001.008) (the “Agreement”); and

WHEREAS, Resolution #329 provided, among other things, for work to be performed at the Olympic Sports Complex by The Pike Co., Inc. (“Contractor”), which included all professional design services, labor, tools, and equipment necessary to complete Contract No. OSC.18.001.008 (the “Project”); and

WHEREAS, the specific work to be performed included the complete design and permitting of the Project and the construction of an entirely new lodge to replace the previously existing three lodges at Mt. Van Hoevenberg, so as to unify the separate areas within the Olympic Sports Complex and ensure that lodge facilities are compliant with the Americans with Disabilities Act; and

WHEREAS, the value of the original Agreement, as approved by the New York State Office of the Comptroller (“OSC”) and Office of the Attorney General (“OAG”), was \$32,921,302.00; and

WHEREAS, thereafter, during the foundation excavation work for the Project, the Contractor encountered unsuitable soils in the building footprint requiring removal and replacement of the soils with engineered structural fill; and

WHEREAS, as a result of the need for the change described above, on March 19, 2021, the Board approved Resolution #411 to Amend the original Agreement to increase its value by \$221,687.00 for a total estimated cost of work of \$33,142,989.00, as approved by the New York State Office of the Comptroller and the Office of the Attorney General on May 17, 2021; and

WHEREAS, after the above-referenced Amendment was approved, a cost savings in the amount of \$4,554.00 was determined, decreasing the value of the Amended Agreement to a total estimated cost of work of \$33,138,435.00; and

WHEREAS, thereafter, changes to the specific work to be performed included adding a total

of seventy-four (74) additional circuits, eight (8) digital display stations, and increasing the electrical outlets by 28% to ensure that the buildings electrical infrastructure will provide flexibility for all spaces, allow for isolation between circuits to prevent dangerous voltages in the event of a fault or component failure during events for elements such as Competition Timing Equipment, to avoid the use of extension cords during complex events, and to allow for growth as electrical equipment demands continue to increase; and

WHEREAS, the proposed Amendment will reflect these changes to the Project scope of work; and

WHEREAS, pursuant to the terms of the proposed Amendment, ORDA is requesting the Board’s approval to submit a change order to the OSC and OAG that will increase the value of the Agreement by \$215,000.00 for a total estimated cost of work of \$33,353,435.00; and

WHEREAS, the change order described herein has not changed the Physical Completion Date of October 30, 2020; and

WHEREAS, the President & CEO has requested that the Board commit the requisite capital for the proposed Amended Agreement; and

WHEREAS, pursuant to ORDA’s By-Laws, Art. VI § 2, which requires that the President & CEO obtain Board approval prior to entering into any agreement the value of which will be in excess of \$250,000.00 or more over the life of the agreement, the President & CEO hereby requests the authority to enter into the foregoing proposed Amended Agreement on the revised terms as provided for herein, and subject to approval of the change order by the Office of the State Comptroller and the Office of the Attorney General; and

THEREFORE, BE IT RESOLVED that the Board of Directors hereby authorizes the expenditure of funds and commits the capital for the proposed Amended Agreement, which will authorize the change order described herein to Resolution #329, entitled “Resolution Committing Capital and Granting Conditional Approval for the President & CEO to Enter Into an Agreement for the Olympic Sports Complex – Mt. Van Hoevenberg Base Lodge & Sliding Sports Facility Project” (Contract No. OSC.18.001.008); and

THEREFORE, BE IT FURTHER RESOLVED that, subject to the approval of the proposed Agreement by the Office of the State Comptroller and the Office of the Attorney General, the Board of Directors hereby authorizes the President & CEO to enter into the proposed Amended Agreement upon the terms and amounts provided for above.

MOVED BY: Art Lussi

SECONDED BY: Cliff Donaldson

and

ADOPTED BY the following vote:

Kelly Cummings
Cliff Donaldson
Steve Hunt

Excused/Abstained:

Bill Beaney (E)
Frank Cardinale (A)
Diane Munro (A)

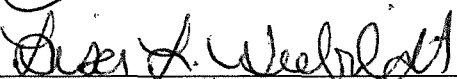
Against:

Andy Lack
Betty Little
Art Lussi
Andy Fyfe
Jeff Stefenko
Elinor Tatum

Emily Stanton, Secretary to the Board, being duly sworn, deposes and says:

The above Resolution # 424 was duly passed by the Board of Directors on June 25, 2021.

Signature 
Title: Secretary to the ORDA Board of Directors

Signature 
Sworn before me this 30th day of June 2021
Notary Public, State of New York

LISA L. WIEBOLDT
Notary Public, State of New York
Clinton County, No. 01W16198948
Commission Expires 01/05/2025



NEW YORK STATE OLYMPIC REGIONAL DEVELOPMENT AUTHORITY

Resolution # 425

**RESOLUTION COMMITTING CAPITAL AND GRANTING APPROVAL FOR THE
PRESIDENT & CEO TO ENTER INTO AN AGREEMENT FOR THE PURCHASE OF
SNOWMAKING EQUIPMENT**

At a meeting of the Board of Directors of the Olympic Regional Development Authority (“ORDA”) held on June 25, 2021, the Chair offered the following resolution:

WHEREAS, ORDA desires to enter into a proposed Agreement that calls for the purchase of new snowmaking equipment from HKD Snowmakers for ORDA’s Belleayre Mountain venue (the “Agreement”); and

WHEREAS, the Agreement includes the purchase of 235 HKD Impulse R5 snowguns and related equipment; and

WHEREAS, following a request for qualifications in the New York State Contract Reporter (“NYSCR”), HKD Snowmakers submitted the only responsive proposal that met ORDA’s minimum specifications and requirements as prescribed in the NYSCR posting; and

WHEREAS, as a result, HKD Snowmakers was determined to provide the best value for ORDA; and

WHEREAS, the Agreement is part of a continuing effort to provide upgrades and improvements to ORDA facilities, including by increasing energy efficiency and snowmaking capacity at Belleayre Mountain; and

WHEREAS, the addition of 235 new high-efficiency snowguns to the 57 already installed at Belleayre will result in approximately 30% of the snowmaking systems hydrants at the venue being utilized with high efficiency snowguns; and

WHEREAS, pursuant to the terms of the proposed Agreement, the total lump sum value of the proposed Agreement will be \$884,999.00; and

WHEREAS, due to ORDA’s purchase and use of installed electric compressors in place of rented diesel air for the snowguns, the New York State Electric and Gas Corporation has approved this Agreement for a custom rebate in the amount of \$535,125.75, bringing the total cost after rebate to \$349,873.25; and

WHEREAS, the estimated project installation costs are approximately \$50,300.00 and include, but are not limited to, piping, drilling, concrete, and welding, bringing the total estimated project cost after rebate to \$400,173.25; and

WHEREAS, the President & CEO has requested that the Authority commit the requisite capital for the purchase of the new snowmaking equipment so as to enable entry into the proposed Agreement; and

WHEREAS, pursuant to ORDA's By-Laws, Art. VI § 2, which requires that the President & CEO obtain Board approval prior to entering into agreements the value of which will be in excess of \$250,000.00 or more over the life of the contract, the President & CEO has requested authority to enter into the foregoing proposed Agreement; and

THEREFORE, BE IT RESOLVED that the Board of Directors hereby authorizes the expenditure of funds and commits the capital for the Agreement as is described more fully herein; and

THEREFORE, BE IT FURTHER RESOLVED that the Board of Directors hereby authorizes the President & CEO to enter into the proposed Agreement upon the terms and amounts provided for above.

MOVED BY: Elinor Tatum

SECONDED BY: Andy Lack

and

ADOPTED BY the following vote:

Kelly Cummings
Cliff Donaldson
Steve Hunt
Andy Lack
Betty Little
Art Lussi
Andy Fyfe
Jeff StefanKo
Elinor Tatum

Excused/Abstained:

Bill Beaney (E)
Frank Cardinale (A)
Diane Munro (A)

Against:

Emily Stanton, Secretary to the Board, being duly sworn, deposes and says:

The above Resolution # 425 was duly passed by the Board of Directors on June 25, 2021.

Signature Emily Stanton
Title: Secretary to the ORDA Board of Directors

Signature Lisa L. Wieboldt
Sworn before me this 30th day of June 2021
Notary Public, State of New York

LISA L. WIEBOLDT
Notary Public, State of New York
Clinton County, No. 01W619894B
Commission Expires 01/05/2025



NEW YORK STATE OLYMPIC REGIONAL DEVELOPMENT AUTHORITY

Resolution # 426

**RESOLUTION COMMITTING CAPITAL AND GRANTING APPROVAL FOR THE
PRESIDENT & CEO TO ENTER INTO AN AGREEMENT FOR THE PURCHASE OF
GROOMING EQUIPMENT**

At a meeting of the Board of Directors of the Olympic Regional Development Authority (“ORDA”) held on June 25, 2021, the Chair offered the following resolution:

WHEREAS, ORDA desires to enter into a proposed Agreement that calls for the purchase of six (6) snow grooming machines from Mohawk Industrial Werks (the “Agreement”); and

WHEREAS, the Agreement includes the purchase of:

- 1 2021/22 Pisten Bully 100 Nordic (3.1M version, 10’ 6”) - \$257,000.00
- 1 2021/22 Pisten Bully Tier IV 400W 4 Ton, active boom - \$421,300.00
- 2 2021/22 Pisten Bully 600W Polar 4.6 Ton, active boom - \$1,022,000.00
- 2 2021/22 Pisten Bully 600E+ diesel/electric hybrid - \$982,000.00

WHEREAS, following an advertisement for proposals in the New York State Contract Reporter (“NYSCR”), Mohawk Industrial Werks submitted a responsive proposal that met ORDA’s minimum specifications and requirements as prescribed in the NYSCR advertisement and was determined to be the best value for ORDA; and

WHEREAS, the Agreement is part of a continuing effort to provide upgrades and improvements to ORDA facilities, including by increasing efficiency and reducing air emissions; and

WHEREAS, pursuant to the terms of the proposed Agreement, the total lump sum value will be \$2,682,300; and

WHEREAS, the President & CEO has requested that the Authority commit the requisite capital for the purchase of the new grooming equipment so as to enable entry into the proposed Agreement; and

WHEREAS, pursuant to ORDA’s By-Laws, Art. VI § 2, which requires that the President & CEO obtain Board approval prior to entering into agreements the value of which will be in excess of \$250,000.00 or more over the life of the contract, the President & CEO has requested authority to enter into the foregoing proposed Agreement; and

THEREFORE, BE IT RESOLVED that the Board of Directors hereby authorizes the expenditure of funds and commits the capital for the Agreement as is described more fully herein; and

THEREFORE, BE IT FURTHER RESOLVED that the Board of Directors hereby authorizes the President & CEO to enter into the proposed Agreement upon the terms and amounts provided for above.

MOVED BY: Betty Little

SECONDED BY: Elinor Tatum

and

ADOPTED BY the following vote:

Kelly Cummings
Cliff Donaldson
Steve Hunt
Andy Lack
Betty Little
Art Lussi
Andy Fyfe
Jeff StefankO
Elinor Tatum

Excused/Abstained:

Bill Beaney (E)
Frank Cardinale (A)
Diane Munro (A)

Against:

Emily Stanton, Secretary to the Board, being duly sworn, deposes and says:

The above Resolution # 426 was duly passed by the Board of Directors on June 25, 2021.

Signature Emily Stanton
Title: Secretary to the ORDA Board of Directors

Signature Lisa L. Wieboldt
Sworn before me this 30th day of June 2021
Notary Public, State of New York

LISA L. WIEBOLDT
Notary Public, State of New York
Clinton County, No. 01W16198948
Commission Expires 01/05/2025