



**NEW YORK STATE OLYMPIC REGIONAL DEVELOPMENT AUTHORITY**

**Resolution # 467**

**RESOLUTION APPROVING CSEA-ORDA BARGAINING UNIT  
EMPLOYEE CONTRACT**

At a meeting of the Executive Committee of the Board of Directors of the Olympic Regional Development Authority (ORDA) held on September 14, 2022, the Chair offered the following resolution:

**WHEREAS**, pursuant to and in accordance with Board Resolution #312 adopted by the Executive Committee for the Board of Directors on October 6, 2017, ORDA entered into a contract agreement with Locals 059, 060, and 061 (Locals) of the Civil Service Employees Association, Local 1000 AFSCME, AFL-CIO (CSEA), for the period from April 1, 2016, through March 31, 2021; and

**WHEREAS**, ORDA wishes to enter into a six (6) year successor contract agreement with the Locals for the period from April 1, 2021, through March 31, 2027; and

**WHEREAS**, as the result of negotiations between ORDA and CSEA, ORDA's and CSEA's negotiators agreed upon terms to be incorporated into a successor contract agreement upon ratification by the Local's and ORDA (Terms); and

**WHEREAS**, by vote of the Locals' memberships conducted on August 25, 2022, the Locals voted to ratify the Terms; and

**WHEREAS**, in an Executive Session at a duly called meeting of the Executive Committee held on September 14, 2022, ORDA's chief negotiator provided the Executive Committee with an overview of the Terms; and

**WHEREAS**, pursuant to Article II, Section 2 of ORDA's By-Laws, the Executive Committee is authorized to transact ORDA's business between meetings of the Board of Directors; and

**WHEREAS**, the Executive Committee has determined that it is in the best interest of ORDA to ratify the Terms and to do so as expeditiously as possible;

**NOW, THEREFORE, BE IT RESOLVED** that the Executive Committee for the Board of Directors hereby ratifies the Terms as referenced herein and further provides the legislative approval necessary to implement the terms of the successor agreement with CSEA for the period from April 1, 2021, through March 31, 2027, thereby allowing the President & CEO to sign and implement such successor agreement.

**SO RESOLVED,**

MOVED BY: Cliff Donaldson

SECONDED BY: Art Lussi

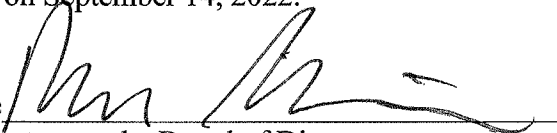
and

ADOPTED BY the following vote:

In Favor:	Excused/Abstained:	Against:
<u>Cliff Donaldson</u>	_____	_____
<u>Art Lussi</u>	_____	_____
<u>Joe Martens</u>	_____	_____
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_____	_____	_____

Renee Fitzgerald, Secretary to the Board, being duly sworn, deposes and says:

The above Resolution # 467 was duly passed by the Executive Committee for the Board of Directors on September 14, 2022.

Signature   
Title: Secretary to the Board of Directors

Sworn before me this 15<sup>th</sup> day of September, 2022.

  
Notary Public, State of New York

EDWARD KOWALEWSKI, JR.  
Notary Public, State of New York  
No. 02KO4982911  
Qualified in Saratoga County  
Commission Expires June 10, 2023



**NEW YORK STATE OLYMPIC REGIONAL DEVELOPMENT AUTHORITY**

**Resolution # 468**

**RESOLUTION COMMITTING CAPITAL AND AUTHORIZING  
THE PRESIDENT & CEO TO ENTER INTO  
AGREEMENTS FOR ORDA 2022-2023 PROGRAM OF INSURANCE**

At a meeting of the Board of Directors of the Olympic Regional Development Authority (ORDA) held on September 28, 2022, the Chair offered the following resolution:

**WHEREAS**, pursuant to Public Authorities Law § 2611 (15), ORDA is authorized to procure insurance against any loss or liability in connection with the use, management, maintenance and operation of the participating Olympic facilities, Belleayre Mountain ski center, and/or Gore Mountain ski center, in such amounts and from such insurers, subject to public bidding as it deems desirable; and

**WHEREAS**, ORDA uses, manages, owns, maintains, and operates both real and personal property assets at its venues which require insurance coverage to protect the interests of ORDA and the people of the State of New York, and to comply with its legal obligations under, among other things, its agreements with other State and local entities, the Lake Placid Olympic Museum, and the United States Olympic and Paralympic Committee; and

**WHEREAS**, pursuant to and in accordance with Board Resolution #432 adopted by the Board of Directors on September 22, 2021, ORDA has entered into annual insurance agreements to satisfy its obligations in this regard, which agreements will expire on September 30, 2022; and

**WHEREAS**, ORDA desires to enter into agreements for the 2022-2023 annual insurance coverage for Comprehensive General Liability (CGL), Property/Inland Marine, Equipment Breakdown, Umbrella, Crime, and Auto; and

**WHEREAS**, the proposed policies will be billed to ORDA in four (4) separate sets of premiums: (1) CGL, Property/Inland Marine, and Equipment Breakdown; (2) Umbrella; (3) Crime; and (4) Auto; and

**WHEREAS**, the anticipated cost of the premium for the policy that includes CGL, Property/Inland Marine, and Equipment Breakdown will exceed \$250,000.00; and

**WHEREAS**, the anticipated cost of the premiums for Umbrella, Crime, and Auto will each fall below \$250,000.00; and

**WHEREAS**, the term of the proposed policies shall be one year each, commencing on October 1, 2022, and expiring on September 30, 2023; and

**WHEREAS**, the policies are recommended following a competitive process conducted by ORDA’s insurance representative in multiple insurance markets through a process that was designed to obtain the best insurance products for ORDA’s interests at the most competitive prices available under the circumstances; and

**WHEREAS**, at a duly called meeting of the Executive Committee held on September 14, 2022, the Executive Committee, whose responsibility it is to recommend to the Board of Directors an adequate program of insurance for ORDA, recommended the approval of the proposed agreements for the policies based on the Committee’s thorough review and consideration of the competitive process described above which resulted in products and prices providing the best value to ORDA; and

**WHEREAS**, based on the recommendation of the Executive Committee, the President & CEO has requested that the Board commit the requisite capital to enter into the proposed agreements for the purchase of the CGL, Property/Inland Marine, and Equipment Breakdown insurance coverages for 2022/2023; 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 agreements;

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Directors hereby authorizes the expenditure of funds and commits the capital for the proposed agreements for the purchase of the CGL, Property/Inland Marine, and Equipment Breakdown insurance coverages, as is described more fully herein; and

**BE IT FURTHER RESOLVED** that the Board of Directors hereby authorizes the President & CEO to enter into the proposed agreements under the circumstances described above.

**SO RESOLVED,**

MOVED BY: Betty Little

SECONDED BY: Andy Lack

and


ADOPTED BY the following vote:

In Favor:	Excused/Abstained:	Against:
Joe Martens	_____	_____
<u>Bill Beaney</u>	_____	_____
Steve Hunt	_____	_____

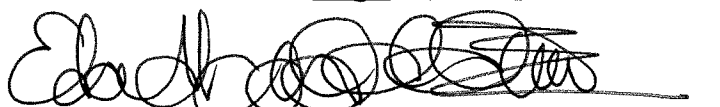
<u>Andy Lack</u>	_____	_____
<u>Betty Little</u>	_____	_____
<u>Art Lussi</u>	_____	_____
<u>Chris Pushkarsh</u>	_____	_____
<u>Joe Zalewski</u>	_____	_____
<u>Elinor Tatum</u>	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

Renee Fitzgerald, Secretary to the Board, being duly sworn, deposes and says:

The above Resolution # 468 was duly passed by the Board of Directors on September 28, 2022.

Signature   
 Title: Secretary to the Board of Directors

Sworn before me this 28<sup>th</sup> day of September, 2022.

  
 \_\_\_\_\_  
 Notary Public, State of New York

EDWARD KOWALEWSKI, JR.  
 Notary Public, State of New York  
 No. 02KO4982911  
 Qualified in Saratoga County  
 Commission Expires June 10, 2023



NEW YORK STATE OLYMPIC REGIONAL DEVELOPMENT AUTHORITY

Resolution # 469

**RESOLUTION COMMITTING CAPITAL AND AUTHORIZING THE PRESIDENT & CEO TO ENTER INTO ELECTRICITY SUPPLY AGREEMENTS FOR BELLEAYRE MOUNTAIN, GORE MOUNTAIN, AND WHITEFACE MOUNTAIN**

At a meeting of the Board of Directors of the Olympic Regional Development Authority (“ORDA”) held on September 28, 2022, the Board Chair offered the following resolution:

**WHEREAS**, pursuant to and in accordance with Board Resolution #380 adopted by the Board of Directors on April 15, 2020, ORDA currently has agreements for the supply of electricity to Belleayre Mountain, Gore Mountain, and Whiteface Mountain; and

**WHEREAS**, the current agreements are in effect until December 31, 2022, and are based on the following terms and criteria:

- a. Belleayre Mountain
  - FY 2021-2022 usage 7,548,689 kWh
  - NYSEG Distribution Zone
  - Supply by Marathon Energy
  - Price is \$0.04150 per kWh
  
- b. Gore Mountain
  - FY 2021-2022 usage 14,000,293 kWh
  - National Grid Distribution Zone
  - Supply by ENGIE Resources LLC
  - Price is \$0.05399 per kWh
  
- c. Whiteface Mountain
  - FY 2021-2022 usage 12,490,285 kWh
  - NYSEG Distribution Zone
  - Supply by ENGIE Resources LLC
  - Price is \$0.04210 per kWh; and

**WHEREAS**, the electricity use at Gore Mountain and Whiteface Mountain could equate to more than \$130,000.00 for each \$.01 change in the rate of electricity supply; and

**WHEREAS**, the electricity use at the Belleayre Mountain could equate to more than \$75,000.00 for each \$.01 change in the rate of electricity supply; and

**WHEREAS**, due to a highly volatile futures market ORDA has retained the services of an independent energy consultant who will coordinate the bidding for eligible suppliers for each distribution zone, including the opportunity for renewable energy credits and energy efficiency; and

**WHEREAS**, the terms of the electricity supply contracts will be determined by the best value to ORDA and said contracts will include such beneficial terms to ORDA as net utility billing to allow for the application of solar credits and net 30-day payments, as well as Renewable Energy Credits that would green ORDA operations and support the New York State renewable energy and carbon reduction targets; and

**WHEREAS**, ORDA's energy consultant will advise the President & CEO of the point at which the market reflects the most advantageous price structure for ORDA to negotiate new electricity supply contracts for each mountain, which price structure could be available for less than twenty-four (24) hours and mandates that the President & CEO be ready and have the authority to act on its availability by entering into new contracts at that time; and

**WHEREAS**, the President & CEO has requested the authority to negotiate and execute such electricity supply contracts at the point at which ORDA has been able to obtain the best value for its electricity needs at each mountain without having to wait until the next meeting of the Board to obtain approval to do so; and

**WHEREAS**, the projected value of each electricity supply contract will be in excess of \$250,000; 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 the authority to enter into the proposed electric supply contracts at the point at which the price structure provides the best value for ORDA based upon the advice of ORDA's energy consultant;

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Directors hereby authorizes the expenditure of funds and commits the capital for the electricity supply contracts for Belleayre Mountain, Gore Mountain, and Whiteface Mountain, as is described more fully herein; and

**BE IT FURTHER RESOLVED** that the Board of Directors hereby authorizes the President & CEO to enter into the proposed energy supply contracts under the circumstances provided for herein.

**SO RESOLVED,**

MOVED BY: Elinor Tatum

SECONDED BY: Art Lussi

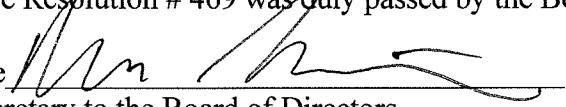
and

ADOPTED BY the following vote:

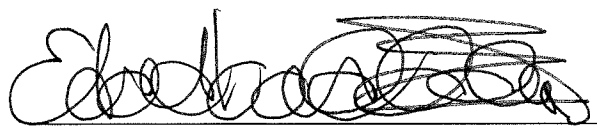
In Favor:	Excused/Abstained:	Against:
Joe Martens		
Bill Beaney		
Steve Hunt		
Andy Lack		
Betty Little		
Art Lussi		
Chris Pushkarsh		
Joe Zalewski		
Elinor Tatum		

Renee Fitzgerald, Secretary to the Board, being duly sworn, deposes and says:

The above Resolution # 469 was duly passed by the Board of Directors on September 28, 2022.

Signature   
Title: Secretary to the Board of Directors

Sworn before me this 28<sup>th</sup> day of September, 2022.

  
Notary Public, State of New York

EDWARD KOWALEWSKI, JR.  
Notary Public, State of New York  
No. 02KO4982911  
Qualified in Saratoga County  
Commission Expires June 10, 2023





**NEW YORK STATE OLYMPIC REGIONAL DEVELOPMENT AUTHORITY**

**Resolution # 470**

**RESOLUTION COMMITTING CAPITAL AND AUTHORIZING THE PRESIDENT & CEO TO ENTER INTO AN AGREEMENT FOR THE PURCHASE OF REPLACEMENT DETACHABLE GRIPS FOR THE CLOUDSPLITTER GONDOLA AT WHITEFACE MOUNTAIN**

At a meeting of the Board of Directors of the Olympic Regional Development Authority (“ORDA”) held on September 28, 2022, the Board Chair offered the following resolution:

**WHEREAS**, ORDA desires to enter into a proposed Agreement that calls for the purchase of sixty (60) replacement detachable grips for the Cloudsplitter Gondola at Whiteface Mountain (“Detachable Grips”) from Doppelmayer USA, Inc. (the “Agreement”); and

**WHEREAS**, Doppelmayer USA, Inc. is the manufacturer of the Cloudsplitter Gondola and the only source for replacement parts; and

**WHEREAS**, the replacement of the existing detachable grips with the Detachable Grips will provide improved reliability and ease of maintenance for years to come; and

**WHEREAS**, the purchase of the Detachable Grips and the replacement of the existing detachable grips is part of a continuing effort to provide upgrades and improvements to ORDA facilities that are necessary to ensure the continued success of ORDA operations; and

**WHEREAS**, pursuant to the terms of the Agreement, the total lump sum value of the Detachable Grips will be \$331,882.42; and

**WHEREAS**, the President & CEO has requested that the Authority commit the requisite capital for the purchase of the Detachable Grips so as to enable entry into the 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 Agreement;

**NOW, 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

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

**SO RESOLVED,**

MOVED BY: Art Lussi

SECONDED BY: Steve Hunt

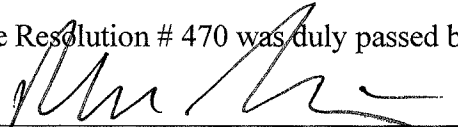
and

ADOPTED BY the following vote:

In Favor:	Excused/Abstained:	Against:
Joe Martens		
Bill Beaney		
Steve Hunt		
Andy Lack		
Betty Little		
Art Lussi		
Chris Pushkarsh		
Joe Zalewski		
Elinor Tatum		

Renee Fitzgerald, Secretary to the Board, being duly sworn, deposes and says:

The above Resolution # 470 was duly passed by the Board of Directors on September 28, 2022.

Signature   
Title: Secretary to the Board of Directors

Sworn before me this 28<sup>th</sup> day of September, 2022.

  
Notary Public, State of New York

EDWARD KOWALEWSKI, JR.  
Notary Public, State of New York  
No. 02KO4982911  
Qualified in Saratoga County  
Commission Expires June 10, 2023