



NEW YORK STATE
**OLYMPIC REGIONAL
DEVELOPMENT AUTHORITY**

BOARD OF DIRECTORS MEETING

Olympic Center, Lake Placid, NY

September 28, 2022

1:00 p.m.

AGENDA

I. INTRODUCTION

- a. Roll Call
- b. Approval of Minutes from June 24, 2022 Board Meeting

II. DISCUSSION

- a. Executive Committee Report
- b. President's Report

III. OLD BUSINESS

IV. NEW BUSINESS

A. Resolutions

- Resolution # 468 - Resolution Committing Capital and Authorizing the President & CEO to Enter Into Agreements for ORDA 2022-2023 Program of Insurance
- Resolution # 469 - Resolution Committing Capital and Authorizing the President & CEO to Enter Into Electricity Supply Agreements for Belleayre Mountain, Gore Mountain, and Whiteface Mountain
- 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

V. ADJOURN



**NYS Olympic Regional Development Authority
Board Meeting Minutes
June 24, 2022**

Present: Joe Martens, Chair
Stephen Hunt, ESD
Betty Little
Arthur Lussi
Diane Munro
Chris Pushkarsh, OPRHP
Jeff Stefanko, DEC
Elinor Tatum
Cliff Donaldson
Frank Cardinale

Also Present: Michael Pratt, President/CEO
Michelle Crew, General Counsel

Introduction: Chair Joe Martens called the meeting to order at 1:02 p.m. and welcomed everyone in attendance.

Joe Martens explained that the meeting was being videotaped and a link to the recording would be made available at www.orda.org.

Joe Martens then asked for a roll call, and confirmed a quorum was present. Steve Hunt joined after the roll call, due to difficulties connecting online.

Minutes: On a motion by Betty Little, seconded by Cliff Donaldson, the minutes of the Board of Directors meeting held on April 18, 2022 were approved without changes. Joe Martens abstained from voting on account of not being present at the meeting held on April 18, 2022.

Governance Committee: Chris Pushkarsh provided a report of the Governance Committee meeting held on June 10, 2022. There were three agenda items that were discussed, which included the list of 2022/2023 Policy Makers and proposed Resolution #460, ORDA's Background Check Policy and proposed Resolution #461, and the required confidential Board evaluation summary. The Committee recommends that the Board adopt Resolution #460 and #461.



The Governance Committee went into executive session to discuss the 2022 board evaluations which are considered confidential under State Law. The summary was submitted to the Governor, the Chairman and Ranking Minority Member of the Senate Finance Committee, the Chairman and Ranking Minority Member of the Assembly Ways and Means Committee, the State Comptroller, and the Authorities Budget Office.

Audit Committee: Jeff Stefanko provided a report of the Audit Committee meeting held on June 10, 2022. Representatives from EFPR Group presented the 2021-2022 Annual Independent Auditor's report to the Committee. The Auditors did not identify any material weaknesses in internal controls, there were no instances of noncompliance materials to the financial statements to report, and they found ORDA's books and records to be maintained in a clear and orderly fashion. The committee recommends that the Board adopt Resolution #462.

Executive Committee: Joe Martens provided a report of the Executive Committee meeting held on June 14, 2022. The Executive Committee discussed the Investment Policy, including the annual investment report, and proposed Resolution #461, and the annual report and proposed Resolution #463. The Committee recommends that the Board adopt Resolution #463 as written.

Committee members requested a revision to the Investment Policy to make it clear that only ORDA's President/CEO is to review, approve, and authorize investment transactions. The Committee recommends adopting Resolution #461 with the changes that were recommended by the Committee.

President's Report: Mike Pratt discussed the last winter and having a great end to the ski season. Belleayre and Mt. Van Hoevenberg reopened even after their initial closing date to happy late-season guests. Gore and Whiteface were open through May 1st.

Mike Pratt provided an update on the multiple projects including the Miracle Plaza at the Olympic Center, the Speed Skating Oval, the Administrative Building, the Training Center Dormitory Modernization, and the Roundhouse at the Veteran's Memorial Highway.

Whiteface Mountain had its UMPA approved by the Adirondack Park Agency (APA) and the Department of Environmental Conservation



(DEC). The Belleayre UMPA is making progress and staff are having regular meetings with DEC to complete internal reviews.

ORDA's retail stores are doing great, exceeding customer expectations while being stocked with an array of appealing merchandise year-round.

Joe Martens commended ORDA for Olympic Day and thanked staff that were involved.

Mike Pratt discussed some of the summer events that have happened at the venues including a Whiteface Biking Event, Gore hosting the Common Ground Alliance, and the IBU Homologation visit at Mt. Van Hoevenberg.

ORDA has received a lot of local and regional media attention. The Olympic Museum received an exclusive in the Lake Placid News. ORDA's staff is managing seven websites and nineteen social media channels.

Darcy Norfolk, Director of Communications, explained that ORDA recently established an umbrella social media channel for Facebook and Instagram.

Mike Pratt discussed the Independent Audit. ORDA has paid off the line of credit, had record breaking revenue, improved cash flow, reduced Workers' Compensation costs, and paid off NYS Retirement.

Mike Pratt discussed ORDA's Annual Report which highlights a lot of improvement projects, events, record operational revenue, record season pass sales, and sport, community, and sustainability work.

Resolution #464 is for the purchase of diesel fuel. Due to inflation prices, there is a chance that a particular account could exceed \$250,000.00. ORDA has eliminated all rental compressors for snowmaking that require diesel fuel, is actively phasing out heavy duty diesel vehicles, and is transitioning buildings away from fuel oil.

ORDA's electricity contracts expire in January 2023. Mike stressed the importance of securing the best rates possible, as well as the volatile nature of the commodity markets. A resolution will be presented to the Board in the fall of 2022 to grant the President/CEO the authority to execute the electricity contracts.



Resolution #465 is to establish a corporate relationship with Bombardier Recreational Products (BRP). This will allow ORDA to be treated as a distributor or retailer and purchase quality snowmobiles and UTVs with direct-from-manufacturer cost savings, and fleet standardization will result in more efficient operations and maintenance.

Resolution #466 is to purchase new grooming equipment. Purchasing new equipment will address venue needs and maintenance concerns, will allow the purchase and circulation of assets to best meet venue requirements and provide more efficient modern equipment, and advance ORDA's commitment to Freestyle.

The World University Game opening ceremonies are on January 12, 2023 at the Herb Brooks Arena. There will be events at Gore Mountain, the James C. Sheffield Speed Skating Oval, Mt. Van Hoevenberg, the Olympic Jumping Complex, the Olympic Center, and Whiteface Mountain. The Games will be for 11 days and will include 12 sports, 86 medal events, 2,500 athletes and coaches, 600 universities, and 50 Countries.

New Business:

Resolutions:

#460 Resolution Approving Policy Makers for 2022/2023

On a motion by Diane Munro, seconded by Cliff Donaldson.

10 in favor, 0 opposed, 0 abstained, adopted Resolution #460.

#461 Resolution Adopting Certain Policies and Procedures

On a motion by Betty Little, seconded by Elinor Tatum.

10 in favor, 0 opposed, 0 abstained, adopted Resolution #461.

#462 Resolution Approving Independent Auditor's Report

On a motion by Jeff Stefanko, seconded by Cliff Donaldson.

10 in favor, 0 opposed, 0 abstained, adopted Resolution #462.

#463 Resolution Approving Olympic Regional Development Authority Annual Report



On a motion by Betty Little, seconded by Art Lussi.

10 in favor, 0 opposed, 0 abstained, adopted Resolution #463.

#464 Resolution Committing Capital and Granting Approval for the President & CEO to Enter Into Agreements for the Purchase of Diesel Fuel

On a motion by Diane Munro, seconded by Betty Little.

10 in favor, 0 opposed, 0 abstained, adopted Resolution #464.

#465 Resolution for Snowmobile/UTV Corporate Standardization

On a motion by Diane Munro, seconded by Betty Little.

10 in favor, 0 opposed, 0 abstained, adopted Resolution #465.

#466 Resolution Committing Capital and Granting Approval for the President & CEO to Enter Into an Agreement for the Purchase of Snowgrooming Equipment

On a motion by Cliff Donaldson, seconded by Art Lussi.

10 in favor, 0 opposed, 0 abstained, adopted Resolution #466.

Executive Session: On a motion by Diane Munro, seconded by Betty Little, the Board entered into Executive Session to update the Board on collective negotiations pursuant to Article 14 of the Civil Service Law.

After a motion and second, the ORDA Board of Directors voted to exit Executive Session and resumed public session. No action was taken during Executive Session.

Adjournment: On a motion by Diane Munro, seconded by Elinor Tatum, the meeting of the Olympic Regional Development Authority Board of Directors was adjourned at 3:13 p.m.



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: _____

SECONDED BY: _____

and

ADOPTED BY the following vote:

In Favor:	Excused/Abstained:	Against:
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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 _____ day of September, 2022.

Notary Public, State of New York



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: _____

SECONDED BY: _____

and

ADOPTED BY the following vote:

In Favor:	Excused/Abstained:	Against:
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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 _____ day of September, 2022.

Notary Public, State of New York



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 Doppelmayr USA, Inc. (the “Agreement”); and

WHEREAS, Doppelmayr 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: _____

SECONDED BY: _____

and

ADOPTED BY the following vote:

In Favor:	Excused/Abstained:	Against:
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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 _____ day of September, 2022.

Notary Public, State of New York