

NEW YORK STATE
OLYMPIC REGIONAL DEVELOPMENT AUTHORITY

GOVERNANCE COMMITTEE MEETING

Lake Placid Conference Center,
Lake Placid, NY

June 11, 2024

11:02 a.m. - 11:49 a.m.

06/11/2024

MEMBERS PRESENT:

Chris Pushkarsh, Chair

Diane Munro

Steve Hunt

Art Lussi

Joe Martens

ALSO PRESENT:

Ashley Walden, President & CEO

Michelle Crew, General Counsel

1 06/11/2024

2 (The Governance Committee meeting commenced at
3 11:02 a.m.)

4 CHRIS PUSHKARSH: Good morning. I'm
5 calling today's meeting to order at 11:02. This
6 is the Olympic Regional Development Authority
7 Governance Committee meeting. Thank you all for
8 attending today. We have committee members
9 joining remotely via video conference as well to
10 the public viewing. Thank you for joining.
11 Renee, may we please have a roll call to confirm
12 a quorum is present.

13 RENEE FITZGERALD: Chris Pushkarsh?

14 CHRIS PUSHKARSH: Present.

15 RENEE FITZGERALD: Diane Munro?

16 DIANE MUNRO: Present.

17 RENEE FITZGERALD: Steve Hunt? Can
18 Steve hear us?

19 CHRIS PUSHKARSH: Steve, you're muted.

20 MICHELLE CREW: Can he hear us?

21 JOE MARTENS: Steve, can you hear us?

22 STEVE HUNT: I can hear you now. I just
23 had to call in. Apologies.

24 JOE MARTENS: Great.

1 06/11/2024

2 RENEЕ FITZGERALD: Art Lussi?

3 ART LUSSI: Here.

4 RENEЕ FITZGERALD: And Joe Martens?

5 JOE MARTENS: Here.

6 RENEЕ FITZGERALD: We have a quorum.

7 CHRIS PUSHKARSH: Thank you, Renee. An
8 agenda was included with the committee materials.
9 Please note that this committee meeting is being
10 recorded. A link to the video and transcription
11 will be posted on the Olympic Authority website
12 following this meeting. Committee members,
13 please remember to speak clearly, as clearly as
14 possible, and identify yourselves each time you
15 speak or make a motion. The first item on the
16 agenda is the approval of meeting minutes. May I
17 please have a motion approving the minutes of our
18 last meeting held on April 12, 2024?

19 DIANE MUNRO: So moved, Diane.

20 CHRIS PUSHKARSH: Thank you, Diane. A
21 second, please?

22 JOE MARTENS: Second, Joe.

23 CHRIS PUSHKARSH: Thank you. Any
24 discussion? Hearing none, all in favor?

1 06/11/2024

2 MULTIPLE SPEAKERS: Aye.

3 CHRIS PUSHKARSH: Any opposed? Any
4 abstained? The motion carries. The next item on
5 the agenda is the designation of the Olympic
6 Authority policymakers for the 2024-2025 fiscal
7 year and proposed Resolution number 536.
8 Michelle, will you please provide some background
9 information regarding this item?

10 MICHELLE CREW: Certainly. So, this is
11 part of our annual preparation for the June board
12 meeting where we address a number of policy
13 issues. The Governance Committee is responsible
14 for making these kinds of recommendations to the
15 board. This first Resolution is the annual
16 designation of policymakers who are not otherwise
17 threshold filers. It's part of the financial
18 disclosure requirements of the public officer's
19 law, and it's updating the annual list of
20 policymakers who are -- who the authority has
21 determined are people who, as a regular and
22 significant part of their duties, are involved in
23 formulating or implementing the goals and
24 policies of the agency. We update this list

1 06/11/2024

2 every year, and we are required to file it with
3 the Ethics Commission in February and to make
4 changes within 30 days as they occur during the
5 year. So, any other information? Anybody have
6 any questions?

7 CHRIS PUSHKARSH: Okay. This seems very
8 straightforward. And hearing no questions, does
9 anyone want to have any discussion about this?

10 ART LUSSI: Well, I guess I only have --

11 CHRIS PUSHKARSH: Very well. Go ahead,
12 Art.

13 ART LUSSI: This is, this is Art. I
14 just -- we have a number of vacant positions. Do
15 we -- what is our -- do we have a plan to fill
16 those, or do we have any policymakers that have
17 been recently hired that should be on here?
18 That's -- that would be my only question. So,
19 specifically, it's Vice President of Operations,
20 Director of Finance, Human Resources Director,
21 Director of Office of Environmental Planning and
22 Construction. So, I would just ask how we're
23 doing in the search for those positions?

24 ASHLEY WALDEN: Sure. We're in the

1 06/11/2024

2 final stages for the Director of Finance. And
3 the Director of HR, we'll be starting that --
4 posting that position later on this week or early
5 next week.

6 ART LUSSI: Okay.

7 ASHLEY WALDEN: On Planning and
8 Construction, we have an interim person in
9 position. I don't think that would make them
10 applicable to this at the moment, would it?

11 MICHELLE CREW: Not at the moment, but
12 if that position becomes permanent, then he will
13 be added to this list.

14 ASHLEY WALDEN: Okay. And as far right
15 now as the vacancy for the VP of Operations that
16 there's no current plan to release that at the
17 moment.

18 ART LUSSI: Okay.

19 MICHELLE CREW: And we do have a recent
20 hire who will be added to this list, and -- but
21 was only hired after this became final.

22 ASHLEY WALDEN: Yeah. And we've had
23 instances before where people get added later on.

24 MICHELLE CREW: Yes. That- that's all

1 06/11/2024

2 part of the process, and we will follow that
3 process.

4 ART LUSSI: Great.

5 MICHELLE CREW: That's our new process.

6 ART LUSSI: That was, that was my main
7 question.

8 MICHELLE CREW: Yes.

9 ART LUSSI: Thank you.

10 CHRIS PUSHKARSH: Very good. Any
11 further discussion? Hearing none, we have a
12 motion to recommend that the Board of Directors
13 adopt proposed Resolution number 536 as
14 presented.

15 JOE MARTENS: So moved. This is Joe
16 Martens.

17 CHRIS PUSHKARSH: Thank you, Joe.
18 Second, please?

19 DIANE MUNRO: I'll second.

20 CHRIS PUSHKARSH: Thank you, Diane. Any
21 further discussion? All in favor?

22 ART LUSSI: Aye.

23 CHRIS PUSHKARSH: Aye. Any opposed?
24 Any abstained? Motion carries. The next item on

1 06/11/2024

2 the agenda is review of certain policies and
3 procedures, and proposed Resolution number 537.
4 Michelle, will you please provide us with some
5 background information regarding this item?

6 MICHELLE CREW: So, this is an annual
7 review of board-approved policies, all but one of
8 which are public-facing policies on our website.
9 There are no changes to most of the policies,
10 which are listed in the Resolution. There is a
11 change to -- and actually, a clarification on the
12 background check policy to update our current
13 process. Under the cur-, under the terms of the
14 current policy, categories 1, 2, and 3 do not
15 capture every Olympic Authority employee. And
16 for our abuse and molestation policy, it became
17 apparent that we are hiring people who should be
18 subject to a sex offender registry check
19 regardless of whether they're, they're covered
20 under category 2 or not. So, the policy has been
21 clarified to make it clear that everybody who is
22 hired into a position, whether it's seasonal,
23 part-time, full-time, is going to be subject to
24 the sex offender registry background check. They

1 06/11/2024

2 have the same protections as any other candidate
3 who has a criminal history. That doesn't mean
4 they're automatically ineligible for employment.
5 It just means we can consider their jobs in
6 relation to what their offense was and how those
7 two things may interact. The other --

8 ART LUSSI: Wait, and who they interact
9 with.

10 MICHELLE CREW: Who they interact with,
11 exactly, exactly. And the other change that we
12 have is to a section of the MC handbook, MC
13 employee handbook. The management confidential
14 employee handbook does need to be fully updated.
15 And we -- that is a process that we are working
16 on. But in the meantime, we've had a situation
17 come up often in the past couple of years with
18 designated holidays and the way they are treated
19 for time -- for, for time off purposes and
20 payment purposes. The, the current policy
21 requires people to take off designated holidays
22 unless they absolutely have to work. And then,
23 they have to get their supervisor's permission
24 because they earn -- double their rate of pay if

1 06/11/2024

2 they work on a holiday. That has become just

3 unworkable because of our high events demand and

4 our winter season, especially with many MC staff

5 who really need to work during the winter season,

6 on designated holidays, President's Day weekend,

7 things like that. So, the policy, as it pertains

8 to this aspect of the handbook, has been changed

9 to, to allow -- to designate an employee -- to

10 designate holidays as comp holiday time if people

11 work on those days so that they can take a

12 holiday time later and work on that holiday

13 without incurring financial impact to the, to the

14 organization. We have also made a change to

15 certain designated holidays to make us more

16 consistent with the rest of the state. We

17 previously listed Lincoln's birthday and

18 Washington's birthday separately. They've now

19 been combined to recognize President's Day, which

20 is what the rest of the state does. It's li-,

21 it's just a little -- it's -- it can be

22 inconvenient sometimes to have us working on days

23 that the rest of the state is not and vice versa.

24 Veterans Day will now be recognized as an, as an

1 06/11/2024

2 official designated holiday for the authority
3 instead of the day after Thanksgiving. And the
4 other holiday that we recognize is -- every
5 employee's birthday is recognized as an em-, a
6 holiday for them. And that has also gone into a
7 comp holiday time, because as nice as it is to be
8 giving your birthday off, it's not always
9 practical to take that day off. So, employees
10 will have up to a year after the date of their
11 birthday by which to use that time if they do not
12 take it off on their birthday. For the other
13 designated holidays, people have until September
14 30th of each year to lose because it will not
15 carry over and accrue into the next year. And I
16 think that's it.

17 DIANE MUNRO: Question. If someone
18 wants a comp day, are they able to get a full
19 comp day or is it subject to the rule that you
20 have to be there for part of the day?

21 MICHELLE CREW: No. It is not subject
22 to the rule that you have to be there for part of
23 the day.

24 DIANE MUNRO: Thank you.

1 06/11/2024

2 JOE MARTENS: And Michelle, is the
3 birthday policy consistent with the rest of the
4 state too, or is --

5 MICHELLE CREW: I don't believe so. I
6 think that's an order of thing that has been
7 around for a very long time.

8 JOE MARTENS: Right, but, but the change
9 to the policy.

10 MICHELLE CREW: Oh, the change to the
11 policy? It -- I -- it's -- since the rest of the
12 state doesn't have birthdays off, I, I, I think
13 just designating it as a holiday and then putting
14 it in the same bucket as the other holidays as
15 comp time if you work is --

16 JOE MARTENS: Got it.

17 MICHELLE CREW: -- consistent with the
18 rest of the designated holidays. But the rest of
19 the state doesn't recognize people's birthdays.

20 JOE MARTENS: I didn't think so.

21 MICHELLE CREW: As far as I'm aware.

22 DIANE MUNRO: I would work on my
23 birthday.

24 JOE MARTENS: First time I've heard of

1 06/11/2024

2 it.

3 DIANE MUNRO: Who's never thought of
4 that?

5 MICHELLE CREW: It's a nice thing but
6 it's not always practical.

7 DIANE MUNRO: I also like that this
8 simplifies it.

9 MICHELLE CREW: Yes, it does.

10 DIANE MUNRO: Any chance you can
11 simplify it, I vote yes.

12 ART LUSSI: We -- a new one was added
13 recently in the last three or four years,
14 Juneteenth.

15 MICHELLE CREW: Juneteenth, that is also
16 in there now.

17 ART LUSSI: And so --

18 ASHLEY WALDEN: By combining the two, it
19 doesn't add an extra because the combination of
20 Lincoln's birthday and Washington's birthday to
21 President's Day --

22 MICHELLE CREW: Right.

23 ASHLEY WALDEN: -- then allowed to free
24 up one more for June-, for Juneteenth.

1 06/11/2024

2 ART LUSSI: Okay.

3 ASHLEY WALDEN: Right.

4 ART LUSSI: I hate to be Scrooge, but
5 I'm like -- I, I --

6 MICHELLE CREW: Fair question.

7 [CROSSTALK]

8 ART LUSSI: I'm like, I -- do we have to
9 keep -- I mean -- and, and can you also explain
10 again what MC is?

11 MICHELLE CREW: Management confidential,
12 I'm sorry, as opposed to hourly employees.

13 ART LUSSI: Okay.

14 MICHELLE CREW: Who have a separate
15 handbook, and, and their, their time off and, and
16 all of those policies are subject to the CSEA
17 bargaining agreement.

18 ART LUSSI: Okay. And so -- and the --
19 basically, that's what we're discussing, is for
20 MC.

21 MICHELLE CREW: MC staff, yes.

22 ART LUSSI: And so, so, our regular
23 staff --

24 MICHELLE CREW: Our hourly staff.

1 06/11/2024

2 ART LUSSI: -- hourly staff that they
3 don't get birthdays off.

4 MICHELLE CREW: I don't think so. I'd
5 have to look at the, I'd have to look at the
6 contract, but I don't think so.

7 DIANE MUNRO: Because that's it. Yeah.

8 ART LUSSI: I -- just for transparency,
9 and I just don't think it's a good idea, and I
10 never knew we did it before. Meaning, birthdays
11 for MC staff.

12 DIANE MUNRO: Are you suggesting that
13 that's a policy the board might want to
14 reconsider?

15 ART LUSSI: Yes.

16 JOE MARTENS: It was a surprise to me.

17 DIANE MUNRO: It was a surprise.

18 ASHLEY WALDEN: To a lot of people.

19 JOE MARTENS: I had no idea.

20 ASHLEY WALDEN: So, I dug into the MC
21 and I had a chance to talk to Michelle about it,
22 and because that's going to be overhauled very
23 significantly, you know, and needs to be, it
24 might be a good time to ask that question, right?

1 06/11/2024

2 MICHELLE CREW: Yes, we could do it when
3 we do the handbook in, in, in totality. Yeah.

4 JOE MARTENS: I think that's a great
5 idea.

6 ART LUSSI: Thanks. Glad I got it.

7 DIANE MUNRO: Sure.

8 CHRIS PUSHKARSH: Yeah. And thank you
9 for the --

10 STEVE HUNT: I agree. And I don't know
11 what happens if your birthday, what happens if
12 your birthday is on a leap year, but we won't get
13 into that?

14 MICHELLE CREW: Good question.

15 DIANE MUNRO: You have four years to
16 take the comp time.

17 JOE MARTENS: For a -- over a holiday.

18 MICHELLE CREW: But if it -- we actually
19 have in the MC handbook that if a holiday falls
20 on a Sunday, it's recognized on a Monday. If it
21 falls on a Saturday, it's recognized on Friday.

22 JOE MARTENS: What if it falls on
23 Thanksgiving Day?

24 MICHELLE CREW: Then, it would probably

1 06/11/2024

2 be recognized on another day but I don't think
3 we've directly addressed that. Good question,
4 Joe.

5 DIANE MUNRO: You're making her eyes fog
6 out, Joe.

7 MICHELLE CREW: You can now look at it.

8 EMILY: Just double-checked, and the
9 hourly staff does get their birthday.

10 MICHELLE CREW: Mm-hmm. They do?

11 EMILY: Yes.

12 ART LUSSI: If hourly staff gets their
13 birthday off, then I do not wish to amend --

14 DIANE MUNRO: Right, exactly.

15 ART LUSSI: -- the policy. But thank
16 you.

17 MICHELLE CREW: Thank you, Emily
18 [phonetic].

19 CHRIS PUSHKARSH: Alright. Well, thank
20 you, Michelle, for that background, and for, and
21 for the discussion.

22 MICHELLE CREW: We might still want to -
23 -

24 CHRIS PUSHKARSH: It would, it would be

1 06/11/2024

2 nice to know how long the, how long the birthday
3 off has been in place as well. But again,
4 knowing that every employee of the authority, you
5 know, gets, gets that benefit, it does cast a
6 different light on it, I think. But --

7 MICHELLE CREW: It's still a good idea
8 to know.

9 DIANE MUNRO: I like that.

10 CHRIS PUSHKARSH: Yeah.

11 DIANE MUNRO: We could find that out.

12 CHRIS PUSHKARSH: Yeah, I would say so.
13 But I'm certainly comfortable asking if there's
14 any further discussion about this item and sort
15 of marching forward with, you know, a request for
16 a, for a motion, unless, unless there is some
17 consensus to proceed otherwise.

18 DIANE MUNRO: No. I'm happy to make a
19 motion that we approve this, this, this policy.

20 CHRIS PUSHKARSH: Okay. Right. As
21 stated. Okay. And thank you, Diana. Can I have
22 a second, please?

23 JOE MARTENS: I'll second it. This is
24 Joe.

1 06/11/2024

2 MICHELLE CREW: Can I ask a question?

3 This, this Resolution is actually for all --

4 DIANE MUNRO: Right. Right.

5 MICHELLE CREW: -- of the policies.

6 DIANE MUNRO: Right.

7 MICHELLE CREW: Just to be clear.

8 DIANE MUNRO: 5 --

9 MICHELLE CREW: What number is it? 537.

10 MICHELLE CREW: 537.

11 DIANE MUNRO: 537, yeah. And, and it
12 wasn't that my, my motion was intended to cover
13 all of the policy revisions discussed.

14 CHRIS PUSHKARSH: Understood. So,
15 motion by Diane, seconded by Joe. Is there any
16 further discussion? Hearing none, all in favor?

17 MULTIPLE SPEAKERS: Aye.

18 CHRIS PUSHKARSH: Aye. Any opposed?
19 Any abstained? The motion carries. Thank you.
20 May I have a motion to go into executive session
21 to discuss a matter made confidential by State
22 Law? Motion, please.

23 ART LUSSI: So moved by Art.

24 CHRIS PUSHKARSH: Thank you, Art.

1 06/11/2024

2 Second?

3 JOE MARTENS: I'll second.

4 STEVE HUNT: I'll second, Steve Hunt.

5 JOE MARTENS: I defer to Steve.

6 CHRIS PUSHKARSH: Thank you, Steve. All

7 in favor?

8 MULTIPLE SPEAKERS: Aye.

9 CHRIS PUSHKARSH: Aye. Any opposed?

10 Any abstained? Motion carries. This meeting
11 will now go into executive session, and a live
12 recording will resume after the committee votes
13 to resume public session.

14 [EXECUTIVE SESSION]

15 DIANE MUNRO: We're live.

16 CHRIS PUSHKARSH: All set?

17 DIANE MUNRO: Yes.

18 CHRIS PUSHKARSH: Very good. This
19 meeting is back in public session following a
20 successful vote on motion to end executive
21 session and resume public session. No action was
22 taken during executive session. In executive
23 session, in accordance with the requirements of
24 the public authorities law, the committee

1 06/11/2024

2 reviewed and discussed the 2024 confidential
3 board evaluations and the confidential summary of
4 the committee is required to compile and
5 summarize, and submit to certain oversight
6 entities listed in the law. That submission is
7 required to be made no later than 90 days after
8 the end of the fiscal year. As chair of the
9 Governance Committee, I'll now work with the
10 board secretary to submit the confidential
11 summary without the deliberative comments to the
12 Governor, the Chairman and Ranking, Ranking
13 Minority Member of the Senate Hou-, Senate
14 Finance Committee, and the Chairman and Ranking
15 Minority Member of the Assembly Ways and Means
16 Committee, the State Comptroller and the
17 Authorities Budget Office, all by no later than
18 June 29, 2024. So, thank you very much for your
19 time on this matter today. That also concludes
20 the business of today's Governance Committee
21 meeting. Are there any other items? If not, I
22 would like to ask for a motion to adjourn.

23 ART LUSSI: So moved, Art.

24 CHRIS PUSHKARSH: Thank you, Art.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24

06/11/2024

JOE MARTENS: Seconded, Joe.

CHRIS PUSHKARSH: Can I have a second?

Thank you, Joe. All in favor?

JOE MARTENS: Aye

ART LUSSI: Aye.

CHRIS PUSHKARSH: Aye. We are adjourned
at 11:49 a.m. Thank you, everyone.

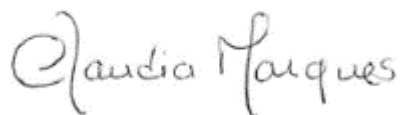
ART LUSSI: Thanks.

(The Governance Committee meeting
concluded at 11:49 a.m.)

CERTIFICATE OF ACCURACY

I, Claudia Marques, certify that the foregoing transcript of the Governance Committee meeting of the New York State Olympic Regional Development Authority on June 11, 2024 was prepared using the required transcription equipment and is a true and accurate record of the proceedings.

Certified By

A handwritten signature in cursive script that reads "Claudia Marques".

Date: August 15, 2024

GENEVAWORLDWIDE, INC.

228 Park Ave S - PMB 27669

New York, NY 10003