

ONEIDA COUNTY LOCAL DEVELOPMENT CORPORATION

TRAVEL & DISCRETIONARY FUNDS POLICY

Section 1. PURPOSE

The purpose of this policy is to implement a provision of the Public Authorities Accountability Act requiring the adoption of certain policies and to adhere to the recommended practices of the NYS Authorities Budget Office (the "ABO") to protect against the use of discretionary funds for purposes that do not advance the Oneida County Local Development Corporation's (the "Corporation") mission and public purposes. Public Authorities Law § 2824 requires the Corporation to adopt a policy to govern business travel and ABO Recommended Practice entitled, Written Policies Governing the Use of Authority Discretionary Funds, specifically recommends adoption by the Corporation of a policy on the proper use of discretionary funds that incorporates the legal principals set forth in NYS Attorney General opinion #2007-F4.

Section 2. APPLICABILITY

This policy shall apply to every member and director of the Corporation and all officers and employees thereof.

Section 3. TRAVEL

A. APPROVAL OF TRAVEL

All official travel needed to conduct Corporation business for which a reimbursement will be sought must be approved by the Executive Director prior to such travel. Provided, however, in the instance where the Executive Director will seek reimbursement for official travel needed to conduct Corporation business, such travel must be pre-authorized by the Chairman or Treasurer of the Corporation.

B. PAYMENT OF TRAVEL

The Corporation will reimburse all reasonable expenses related to meals, travel and lodging that were incurred by any member, director, officer or employee as a result of the performance of their official duties; provided such travel was approved in accordance with Section 3(A) of this Policy prior to such travel. All official travel shall be properly authorized, reported and reimbursed. Under no circumstances shall expenses for personal travel be charged to, or temporarily funded by the Corporation. This exclusion applies to personal travel which interrupts official travel, or precedes or follows a business trip. Further, personal expenses are not reimbursable even when incurred while on an Corporation trip. Examples of such excluded expenses are pet care, house, or child-care expenses and purchase or repair of personal luggage. It is the traveler's responsibility to report his or her travel expenses in a responsible and ethical manner, in accordance with this policy.

C. TRAVEL EXPENSES

Where practical, employees should perform appropriate due diligence to obtain the lowest reasonable costs for travel expenses.

Travelers may use their private vehicle for business purposes if it is less expensive than renting a car, taking a taxi, or using alternative transportation, or if it saves time. The traveler will be reimbursed at a standard mileage reimbursement rate.

Meals will be reimbursed at actual expense or a per diem rate as determined from time-to-time. Lodging will be reimbursed at actual expense.

Reimbursement for miscellaneous expenses shall be determined on a case-by-case basis. Mileage rates and per diem allowances will be established and from time-to-time amended by the Treasurer. All expense reimbursement determinations made pursuant to this paragraph D shall be made by the Treasurer. In the instance where such determinations regard the travel of the Treasurer, the Chairman shall make such determinations.

Section 4. DISCRETIONARY FUNDS

A. USE OF DISCRETIONARY FUNDS

The expenditure of Corporation funds must relate to an enumerated power, duty or purpose of the Corporation. Therefore, the use of discretionary funds shall be limited to expenditures that benefit the Corporation in advancing its mission and public purposes. Discretionary funds shall not be used in a manner that primarily benefits the individual member, director, officer or employee.

B. PRIOR APPROVAL

All expenditures of discretionary funds shall be approved by the Executive Director prior to such expenditure and fall within Annual Budget Allocations. Provided, however, in the instance where the Executive Director will seek an expenditure of discretionary funds, such expenditure shall be pre-authorized by the Chairman or Treasurer of the Corporation. The Executive Director or the Chairman or the Treasurer, as the case may be, shall review the proposed use of funds and reasonably determine whether such use (i) primarily benefits the Corporation as opposed to an individual member, director, officer or employee and (ii) advances the mission and public purpose of the Corporation. Scrutiny of all expenses will be guided by judgment relating to the relevance of such costs and the benefits which may accrue from such activities.

C. APPROPRIATE EXPENDITURE GUIDANCE

(i) Membership Dues – Membership dues paid for the Corporation to belong to a professional peer organization is a permissible use of Corporation funds. However, individual membership costs for members, directors, officers and employees to belong to a professional, social or fraternal organization whereby the membership is of

and the primary benefit is to, the individual rather than the Corporation, should not be an Corporation expenditure.

(ii) Charitable Contributions & Sponsorships – The appropriateness of such sponsorship or charitable contribution will depend on whether it relates to the powers, duty and purposes of the Corporation, and whether such expenditure will advance the Corporation’s core mission and public purposes.

(iii) Food & Beverages – Expenditures for food and beverages purchased for or during the conduct of Corporation business with persons that do business with the Corporation may be an appropriate expenditure of Corporation discretionary funds, provided that the expense is reasonable in light of the circumstances surrounding the Corporation activity and is approved by the Corporation Chairman as set forth herein.

(iv) Professional Training, Certification and Licensing – Paying the costs to attend training to maintain certifications or licenses, or to attend professional conferences may be an appropriate expenditure of Corporation discretionary funds.

(v) Marketing – Expenses incurred in the course of marketing our area to prospects and relations with existing industries and businesses and supporting partners in the furtherance of the Corporation’s mission may be an appropriate expenditure of Corporation discretionary funds.