

Tompkins County

Industrial Development Agency

Travel & Discretionary Funds Policy

Adopted: May 8, 2019

Section 1. PURPOSE & APPLICABILITY

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 TOMPKINS COUNTY INDUSTRIAL DEVELOPMENT AGENCY'S (Agency") mission and public purposes. Public Authorities Law §2824 requires the Agency to adopt a policy to govern business travel and the ABO, by and through its Recommended Practice entitled Written Policies Governing the Use of Authority Discretionary Funds (November 2012), specifically recommends adoption by the Agency a policy on the proper use of discretionary funds that incorporates the legal principals set forth in NYS Attorney General in opinion #2007-F4. This Policy shall apply to the Agency, along with every member of the board (the "Board") of the Agency and all officers and employees thereof.

Section 2. TRAVEL

A. APPROVAL of TRAVEL

All official travel for which a reimbursement will be sought must be approved by the Administrative Director prior to such travel. Provided, however, in the instance where the Administrative Director will seek reimbursement for official travel, such travel must be pre-authorized by the Board.

B. PAYMENT of TRAVEL

The Agency will reimburse all reasonable expenses related to meals, travel and lodging that were incurred by any director, officer or employee as a result of the performance of their official duties. 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 Agency. 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

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.

Tompkins County

Industrial Development Agency

Meals will be reimbursed at actual expense or a per diem rate, whichever is less. Lodging will be reimbursed at actual expense up to certain daily rate caps established for various locations. The applicability of such caps shall be determined on a case by case basis taking into consideration availability of lodging and other extenuating circumstances.

Reimbursement for miscellaneous expenses shall be determined on a case by case basis. Mileage rates, per diem allowances and lodging caps will be established and from time to time amended by the Treasurer or his or designee. All expense reimbursement determinations made pursuant to this paragraph C. shall be made by the Treasurer or his or her designee. In the instance where such determinations regarding the travel of the Treasurer, the Administrative Director or Chair shall make such determinations.

Section 3. DISCRETIONARY FUNDS

A. USE OF DISCRETIONARY FUNDS

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

B. PRIOR APPROVAL

All expenditures of discretionary funds shall be approved by the Administrative Director prior to such expenditure. Provided, however, in the instance where the Administrative Director will seek an expenditure of discretionary funds, such expenditure shall be pre-authorized by the Chairman or Treasurer of the Agency. The Administrative Director or the Chairman or Treasurer, as the case may be, shall review the proposed use of funds and reasonably determine whether such use (i) primarily benefits the Agency as opposed to an individual board member, officer or employee and (ii) directly advances the mission and public purpose of the Agency. Scrutiny of all expenses will be guided by judgement 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 Agency to belong to a professional peer organization is a permissible use of Agency funds. However, individual membership costs for board members, 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 Agency, should not be an Agency expenditure.

Tompkins County

Industrial Development Agency

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

(iii) Food & Beverages – With the exception of food and beverages purchased during business travel as provided herein, expenditures of food and beverages for the personal consumption of board members, officers and employees should not be considered an appropriate use of Agency discretionary funds. Provided, however, expenditures for food and beverages purchased for or during the conduct of Agency business with persons that do business with the Agency may be an appropriate expenditure of Agency discretionary funds, provided that the expense is reasonable in light of the circumstances surrounding the Agency activity and is pre-approved 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 Agency discretionary funds.

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

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