



SARATOGA COUNTY WATER AUTHORITY

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SARATOGA COUNTY WATER AUTHORITY BOARD OF DIRECTORS OFFICIAL MEETING MINUTES THURSDAY, JANUARY 26, 2017 @ 3:00 P.M.

PRESENT: Chairman John Lawler, Vice Chair Anita Daly, Supervisor Art Johnson, Board Members Darren O'Connor and Jim Smith; Executive Director Ed Hernandez, and SCWA General Counsel Mark Schachner, Esq. **ALSO PRESENT:** Harold Berger, P.E. and Peter Loyola, RLA, of CLA Site Landscape Architects and Donald Zee, Esq. representing The Saratoga Polo Club. **ABSENT:** Treasurer Tom Cumm and Supervisor Tim Szczepaniak.

Prior to the opening of the meeting, Supervisor Johnson and Ms. Daly were administered their Oaths of Office for their new terms. All members completed their 2016 Financial Disclosures and Fiduciary Acknowledgements.

Chairman Lawler called the regular meeting to order at 3:04 p.m. and welcomed all in attendance. The meeting was held in the Board of Supervisors Meeting Room One.

Motion was made by Mr. O'Connor and seconded by Mr. Johnson to adopt the draft minutes of the December 22, 2016 Meeting minutes as the official minutes of that meeting. Motion carried unanimously.

At this time, Chairman Lawler invited Peter Loyola of CLA Site Landscape Architects to address the Board regarding the Saratoga Polo Club's request for water supply from the Town of Greenfield and Saratoga County Water Authority. Mr. Loyola discussed the prior request from the Town of Greenfield to create a water district to assist in providing water to Stewarts Corp. and the Polo Club. That district did not occur due to difficulties with easements and Stewarts found supply from the City of Saratoga. The Polo Club still wishes to request a water connection from the Authority through the Town of Greenfield. Mr. Loyola presented mapping of the proposed project. He noted that the Town was amenable to an amended water district once the MAP plan and report were updated. The plan reflected a tap in at the front of the property where the SCWA water line was. The need was approximately 45,000 gallons per day. Mr. Zee clarified that the original district formation application to the Town of Greenfield will be rescinded and reapplication made for the Polo Club only. He stated that the Town of Greenfield needed to confirm that the SCWA would be amenable to selling through the Water District. Mr. Schachner stated for the record that his firm, Miller Mannix, also represents the Town of Greenfield and

that he would encourage the SCWA to reach out to town representatives directly on the matter. Mr. Hernandez then discussed the possibility of requiring the town, in the area of the potential water district, to purchase all municipal water from the SCWA up to 150,000 gallons per day, in order to meet the spirit of the minimum purchase requirements that has been a requirement for other customers. Mr. Lawler inquired if there would be more development in that area. He further discussed past practices for entering into contracts with municipalities. He stated the ultimate goal is to provide water to those who need it in Saratoga County. He further discussed that it was never in the best interest of the Water Authority to be a “back-up” water supplier. Ms. Daly noted that as Greenfield may build out, they may certainly be able to fulfill the minimum water purchase requirement. She stated that it should be noted that our mission statement is to provide and support water supply to businesses and communities within Saratoga County. Mr. Zee noted that there is no backup water supply in the area and language could be included in the Agreement under “whereas” clauses to outline the minimum purchase requirement over time. Mr. Loyola discussed other development in the area. Mr. Lawler inquired what other water suppliers were near that area. Mr. Hernandez stated it was the City of Saratoga Springs. Mr. Johnson inquired why the Town of Greenfield wouldn’t create a larger area for the proposed water district. Mr. Schachner restated that there is currently no water district but there is a long-standing resolution to create same. Mr. Lawler reiterated the policy that the position should be that the Town of Greenfield should be committed to the minimum if there is build out. He discussed other small areas of the County that have been working for some time to acquire water and where do we maintain the consistent theme of being a wholesaler of water. Mr. Hernandez inquired if the Polo Club could commit to 150,000 gallons per day. Mr. Zee stated that would most likely be problematic. Mr. Lawler further discussed what he saw as the Town’s future issues may be by limiting the water district. The Town of Greenfield will need to request a purchase agreement directly from the SCWA. Mr. Johnson recommended that the SCWA Board discuss directly with the Town of Greenfield Board before moving any further. The remainder of the Board concurred and Mr. Lawler stated the SCWA will work with the Polo Club for a successful conclusion.

(As is the practice of the Board, the Board waived a reading of the draft minutes and the adopted minutes include the long form resolutions that were passed at said meeting and the Board waived the reading of the long form resolutions.)

Reports:

Production: Mr. Hernandez reported that production data for the month of December 2016 was 4.448 MGD. Rolling annual average was 5.313 MGD. He stated he was pleased with the overall numbers for 2016 and was looking ahead to 2017 with similar expectations.

Financial: Mr. Hernandez discussed the financial report through December 31, 2016. Revenues for the year were budgeted at \$4.77 million and actual revenues were \$5.27 million. Budgeted expenses were \$1.92 mil and actual expenses were \$1.58 million. Estimated cash available for operations at March 1,

2017, (after the first 2016 bond payment) is estimated at \$2.25 million. The next payment for the 2016 Bonds is due March 1, 2017.

Legal: Mr. Schachner stated there were just a couple of items they were currently working on for the Authority. The first being the documents necessary to close out the Outfall Project with Saratoga County IDA and the second being contract negotiations with a new water customer. The IDA closeout documents were currently under review by IDA legal counsel. He did not expect any difficulties with the review. He was also awaiting a document from the new water customer for review. He stated there had been no further developments in that regard. Mr. Schachner also wished to disclose that he was also legal counsel for the Town of Greenfield and would therefore have to refer representation to the Authority's bond counsel for handling of any potential contracts with them.

Annual Committee Reports: Mr. Hernandez noted that reports were submitted for review from Governance, Audit and Finance Committees. There were no requested revisions to the reports. At this time, Chairman Lawler announced 2017 Committee assignments as follows:

- Governance: Lawler, Smith, Szczepaniak
- Audit: Daly, Johnson, O'Connor
- Finance: Cumm, Johnson, Lawler
- Personnel: Cumm, O'Connor, Smith
- Smart Growth: Daly, Johnson, Szczepaniak

Motions & Resolutions:

Motion was made by Ms. Daly and seconded by Mr. Smith to approve final budget transfers for 2016 as follows:

- Transfer \$525 from Safety Equipment Expense to Uniform Expense.
- Transfer \$2,500 from Insurance Expense to Water Testing Expense.
- Net Budget Effect: Zero

Motion carried unanimously. (2017-0001)

Motion was made by Ms. Daly and seconded by Mr. O'Connor to authorize the payment of the monthly vouchers at a cost of \$111,365.04 in operating costs. Mr. Hernandez stated that all vouchers had been reviewed previously by Mr. Cumm and were approved. He noted the purchase of a replacement utility vehicle was the largest expense this month. **Motion carried unanimously. (2017-0002)**

The next motion was offered by Mr. O'Connor and seconded by Mr. Johnson to further **Ratify and Readopt all motions and Resolutions from the December 2016 meeting.** **Motion carried unanimously. (2017-0003)**

Mr. Hernandez then reviewed the results of the Pipeline Mowing Bidding and noted that after advertising to several contractors, only one bid was received. At this time he requested to award the bid to Grasshopper Gardens in the amount of \$30,000 per year for one year with the option of extending the contract for an additional two years pending budget and board approvals. **Motion was offered by Mr. Smith and seconded by Mr. O'Connor to award the contract to Grasshopper Gardens. Motion carried unanimously. (2017-0004)**

New Business:

The next meeting of the Saratoga County Water Authority Board of Directors was scheduled for Thursday, March 2, 2017 at 3:00 p.m. The Governance, Finance and Audit Committees will also meet that day at 2:45 p.m. to accept and authorize submission of reports to PARIS.

With no further action, motion to adjourn was made by Mr. O'Connor and seconded by Mr. Johnson. Motion passed and meeting was adjourned at 4:10 p.m.

Respectfully Submitted,

Carol A. Alden, Confidential Secretary