



# SARATOGA COUNTY WATER AUTHORITY

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## SARATOGA COUNTY WATER AUTHORITY BOARD OF DIRECTORS OFFICIAL MEETING MINUTES THURSDAY, MARCH 26, 2020 @ 4:00 P.M.

**PRESENT:** Chairman John E. Lawler, Vice Chair Anita Daly, Treasurer Tim Szczepaniak, Deputy Treasurer Todd Kusnierz, Supervisor Phil Barrett (arrived at 4:18 p.m. due to prior commitments), Supervisor Todd Kusnierz, Supervisor Darren O'Connor and Board Member Art Johnson; also, Executive Director Ed Hernandez and General Counsel Mark Schachner, Esq. **ABSENT:** None

Chairman Lawler commenced the meeting at 4:00 p.m. and thanked everyone for participating in this teleconferenced meeting due to the serious health crisis occurring in the nation.

Chairman Lawler inquired if there were any changes, additions or deletions to the February 27, 2020 meeting minutes. **On a motion by Ms. Daly and a second by Mr. O'Connor the minutes of the February 27, 2020 meeting were adopted. Unanimous.**

Chairman Lawler inquired if anyone had changes to the February 27, 2020 Finance Committee meeting minutes. **On a motion by Mr. Johnson and seconded by Mr. Kusnierz the minutes of the February 27, 2020 Finance Committee meeting minutes were adopted. Unanimous.**

### Reports:

**Operations:** Mr. Hernandez started his report by discussing changes that had been made to operational staffing at the plant because of the Covid-19 virus. Staff have been assigned to various locations within the system to address social distancing recommendations and to maintain operation and maintenance requirements for the Authority. He also indicated that firms and individuals making deliveries were now required to call for access to the facility and daily deliveries of supplies were being left in the outer vestibule of the administration building. Mr. Szczepaniak inquired if there were any issues with chemical deliveries. Mr. Hernandez responded that there were none. Delivery drivers have been instructed to call upon arrival and staff are wearing PPE and maintaining social distancing recommendations during those deliveries. Chairman Lawler requested that Mr. Hernandez develop a plan in the event that he or the Confidential Secretary were unable to perform their duties due to potential illness. Mr. Hernandez stated he would review operations and make recommendations for addressing these potential issues. He reported that water sales for February were 5.7 mgd and rolling annual average was 5.92 mgd.

**Financial:** Mr. Hernandez read the Administrative Summary as of February 29, 2020. Budgeted water revenues through February 29, 2020 were \$1.06 mil and actual were \$1 mil. Budgeted expenses through February 29, 2020 were \$327k and actual expenses were \$228k. The next Bond payment was due June 1<sup>st</sup>, 2020 for \$186,000. Cash available for operations after that payment were estimated at \$1.4 million. Mr. Kusnierz inquired about the annual bond payments. Mr. Hernandez directed him to the itemized financial report which reflects the budgeted bond payments.

**Capital Projects:** Mr. Hernandez reported the closing with EFC had been completed on February 6<sup>th</sup> for the Phase II Expansion project funding. He anticipated that the project would still go out to bid in this spring after plan and permit approval by NYSEFC and NYSDOH

Mr. Hernandez also commented on a proposed Change Order for the Halfmoon Project to reduce the cost of the construction contract by approximately \$90k.

**Legal:** Mr. Schachner reported that the new Draft “Form” Agreement for water customers had been reviewed by Bond Counsel for the language that related to the resale of water. The final draft agreements were included in member packets for their review. The second matter reviewed was the practice of the Treasurer having authority to make investments. Mr. Schachner stated that he had reviewed the Charter and it appeared that the Treasurer, in fact, had the authority to make investment decisions. He also noted that the Treasurer would most likely report back to the Board on any activity in that regard.

**Motions & Resolutions:**

**Motion was made by Mr. Szczepaniak and seconded by Mr. Kusnierz to authorize the payment of the monthly vouchers at a cost of \$97,077.26 in operating costs and \$47,877.10 in Phase II WTP Expansion costs. Motion carried unanimously. (2020-0007)**

Mr. Johnson reported that the Governance Committee met prior to this meeting and that they reviewed the Performance Measurement Report. The Committee was recommending the Board approve the 2019 Performance Measurement Report and authorize for posting to PARIS. **Motion was made by Ms. Daly to approve the 2019 Performance Measurement Report and authorize posting to PARIS. Seconded by Mr. Johnson. Unanimous. (2020-0008)**

Ms. Daly then reported that the Audit Committee reviewed the 2019 Draft Financial Statements with Mr. Ken Claflin, CPA of Cusack & Company. She indicated that the Authority ended the year with a net increase. **With no further discussion, Ms. Daly made a motion to approve the 2020 Audited Financial Statements and authorize posting to PARIS. Motion was seconded by Mr. Johnson. Unanimous. (2020-0009)**

The next matter was a review of the Pipeline Mowing bids received on March 19, 2020. The low bid for mowing of the 30-mile pipeline was from Toadflax Nursery of South Glens Falls at a cost of \$26,000 total for the two annual cuttings. **Motion was made by Mr. Szczepaniak and seconded by Mr. Johnson to award the three-year contract to Toadflax Nursery. Mr. Kusnierz abstained from voting. Motion carried. (2020-0010)**

Mr. Schachner then reviewed for the Board the “Boilerplate” Water Agreements presented and noted that each customer’s contracts would be tailored to their circumstances but that most going forward for the next term would mimic in form the included agreements. **Ms. Daly made a motion to accept the form of the agreements and Mr. O’Connor seconded. Unanimous. (2020-0011)**

The final matter on the agenda was a Change Order from Tom Kubricky Company, the contractor for the Halfmoon Pipeline Expansion, to reduce the amount of the contract by \$90,723.47. **Motion was made by Mr. Kusnierz to accept the Change Order and motion was seconded by Mr. Szczepaniak. Unanimous. (2020-0012)**

**New Business:**

The next meeting of the Saratoga County Water Authority Board of Directors was scheduled for Thursday, April 23, 2020 at 3:30 p.m. via teleconference.

**At 4:30 p.m., with no further business, a motion was made by Ms. Daly and seconded by Mr. O’Connor to adjourn. Motion carried unanimously.**

**Respectfully Submitted,**

**Carol A. Alden,  
Confidential Secretary**