



# SARATOGA COUNTY WATER AUTHORITY

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## SARATOGA COUNTY WATER AUTHORITY BOARD OF DIRECTORS OFFICIAL MEETING MINUTES THURSDAY, NOVEMBER 19, 2015 @ 2:30P.M.

**PRESENT:** Chairman John Lawler, Supervisor Anita Daly, Treasurer Kevin King, Supervisor Patrick Ziegler, Tom Cumm, Ed Hernandez, Executive Director, and SCWA General Counsel Mark Schachner, Esq. **Absent:** Supervisor Arthur Johnson, Board Member Jim Smith.

Chairman Lawler called the regular meeting to order at 2:30 p.m. and welcomed all in attendance.

**Motion was made by Ms. Daly and seconded by Mr. Cumm to adopt the draft minutes of the October 29, 2015 Board Meeting minutes as the official minutes of that meeting. Motion carried.**

**The adoption of the minutes of the September 24, 2015 Governance Committee meeting were tabled.**

(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.)

At this time, discussion ensued regarding the new options provided for health insurance coverage for the employees. Mr. Hernandez discussed the various options presented by MVP. His recommendation was for the board to consider the Silver 4 plan with embedded HRA. He stated it would be approximately a 6% increase. He noted the biggest issue was the employer funded HRA that CDPHP was not allowing employers to fully fund any longer. He stated that MVP did not have that requirement. Mr. Cumm inquired if they were "Cadillac" plans. Mr. Hernandez stated they were not. Chairman Lawler inquired why the Authority was considering an HRA. Mr. Hernandez stated that as part of the consideration for last year, the Board had opted for that. He also noted that the insurance costs had dropped with the use of an HRA for deductible costs. Mr. Ziegler stated it made sense to go with that plan with the usage patterns for the employees.

Mr. King mentioned that he would encourage management to pursue a vision plan for the employees as well.

### **Reports:**

Production: Ed Hernandez, Executive Director, reported that production data for the month of October 2015 at 4.89 MGD. There were no inquiries from the Board about the production data.

Financial: Mr. Hernandez discussed the financial reports through October 31, 2015. Budgeted expenses were \$1.61 million and actual expenses were \$1.31 million. Revenues year to date were budgeted at \$3.88

million and actual revenues were \$4.62 million. Mr. Hernandez stated that net income to date was \$656,386. The next bond payment for the 2014 Bond is due December 1, 2015. Mr. King inquired if there would be a repayment to the County. Chairman Lawler stated that as it stands, it would reflect that no Service Fee would be required in 2016. He stated that there were some contingencies that may affect the net income heading into 2016.

Legal Update: Mr. Schachner stated there was not much movement on any legal matters this month. He noted that the Global Foundries representatives declined to attend today's meeting. He discussed the Brookfield easement and the lack of communication from them. Mr. Hernandez stated that construction on the outfall pipeline may need to be delayed into the 2016/2017 construction season due to the northern bat restriction. Mr. Schachner also stated that it was the recommendation of Counsel that the current Code of Ethics Policy was similar enough to the proposed Conflict of Interest Policy recommended by the Authorities Budget Office that adoption of the model policy would not be necessary.

**Motion was made to authorize a budget transfer of \$3,000 from line item "Chemicals" to "Equipment Parts - Dist." Motion was made by Mr. King and seconded by Mr. Cumm to recommend the transfer. Motion carried unanimously.**

**Motion to authorize the payment of the vouchers for the month at a total cost of \$91,744.69 in operating costs and \$255.00 in DBP Project costs, as reviewed by the Treasurer. Mr. Cumm moved to authorize that vouchers be approved for payment. The motion was seconded by Mr. Ziegler. Motion passed unanimously.**

**Motion to approve the 2015-2016 health coverage plan MVP Silver 4 EPO with HRA. Motion was offered by Ms. Daly and seconded by Mr. Ziegler. Motion carried unanimously.**

**Motion to approve the 2016 Commercial Insurance Package proposal from the Winfield Group at a total cost of \$63,378.** Mr. Hernandez stated that this was a reduction over last year's costs even with the addition of the new GAC building. He noted that the general liability portion had dropped due to a decrease in payroll. Mr. Cumm inquired if there were any claims against the policy this year. Mr. Hernandez stated there were none. **Motion was offered by Chairman Lawler and seconded by Mr. Ziegler.** Chairman Lawler instructed that an RFP should be done next year due to changes in the market. Ms. Daly mentioned that she wanted to abstain from voting due to personal business dealings with the Winfield Group. **Motion carried. Ms. Daly - Abstain.**

The next matter brought forward by Mr. King was for discussion was the matter of domestic partner coverage. He noted that his recommendation was to amend our policy to clarify that there is no coverage for domestic partners. Mr. Hernandez noted that the CDPHP requirements for coverage were in the Board's packets. Mr. Ziegler stated he was not in favor of coverage, but also had some reservations about the topic. Ms. Daly stated that the requirements listed were fairly light. Chairman Lawler stated he was concerned with the criteria presented and that any two people could claim domestic partnership and creating a policy with such a simple set of criteria was problematic. Mr. Schachner stated that Common Law marriage was no longer recognized in NYS and had been replaced with Domestic Partnership. Discussion ensued regarding

whether Domestic Partner coverage was a rider or an included service. Mr. Cumm stated he was in favor of the coverage if the qualifications were more stringent. Mr. Schachner read from an opinion from the NYS Office of General Counsel that it was not an option to make the guidelines more stringent for a particular class of insured. Chairman Lawler polled the Board members on their vote. **Motion was made by Mr. King and seconded by Mr. Ziegler to amend the SCWA Personnel Policy to clearly define health insurance coverage be extended strictly to employees who are married couples and family coverage only as defined by the New York State law.**

Ms. Daly – Yes

Mr. Ziegler – Yes

Mr. King – Yes

Mr. Lawler – Yes

Mr. Cumm – Yes

**Motion carried unanimously.**

**The next meeting of the Authority Board was scheduled for December 17, 2015 at 2:30 p.m. An Audit Committee meeting was also scheduled on that date at 2:15 p.m. Members of that Committee are: Cumm, Daly, and Johnson.**

**At 3:30 p.m. motion was made to enter into Executive Session to discuss Attorney Client privileged matters. Motion was made by Mr. Ziegler and seconded by Mr. King.**

**Motion was made by Mr. Ziegler to return to open session at 3:50 p.m. Seconded by Ms. Daly. Motion to return to open session carried unanimously.**

**At this time, a motion was offered by Mr. Ziegler and seconded by Mr. Cumm to Authorize the Acquisition of Easement from Erie Boulevard Hydropower LLP by exercise of condemnation pursuant to the Eminent Domain Procedure Law for the purposes of furthering the Wastewater Outfall Project.** Mr. Schachner stated he would like to provide Brookfield a short window of time to respond to the latest communication before this procedure were to commence. **Motion carried unanimously.**

**At 4:05 p.m. Motion to adjourn was made by Mr. Ziegler and seconded by Mr. King. Motion passed and meeting was adjourned.**

**Respectfully Submitted,**

**Carol A. Alden, Confidential Secretary**