



SARATOGA COUNTY WATER AUTHORITY

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CHARLES WAIT

SARATOGA COUNTY WATER AUTHORITY OFFICIAL BOARD MEETING MINUTES FRIDAY, JANUARY 13, 2012; 2:45 PM

PRESENT: Supervisor John Lawler, SCWA Chairman; Supervisor Arthur Johnson, Kevin King, Treasurer, Mary Beth Hynes, Greg Connors, Anita Daly, Charles Wait; SCWA Board Members; Craig Crist, SCWA Special Counsel; John Dowd, SCWA Special Counsel; Ed Hernandez, Acting Executive Director; Frank Thompson, Press.

Special Counsel Craig Crist read the Public Hearing Notice for the Proposal to increase the water charges from \$2.05 per thousand gallons to \$2.08075 per thousand gallons. Chairman Lawler invited any public comments at the conclusion of the reading of the Public Notice. Connors inquired if any written inquiries had been received to which Chairman Lawler responded there had been none.

No public comments were forthcoming and the Public Hearing was closed at 3:05 p.m.

Chairman Lawler called the regular meeting to order at 3:05 p.m. and welcomed all in attendance.

Mr. Connors made a request to amend the draft minutes of the November 29, 2011 meeting minutes to reflect that both he and Marybeth Hynes were in attendance at that meeting. A motion was made by Charles Wait and seconded by Greg Connors to adopt the amended draft minutes of the November 29, 2011 meeting as the official minutes of that meeting. The motion passed unanimously. (As is the practice of the Board, 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 3:10 p.m. Charles Wait, SCWA Board Member, excused himself from the meeting prior to a presentation by a representative from Adirondack Trust Insurance.

At 3:10 p.m. a short presentation was made by David Meager of Adirondack Trust Insurance reviewing the 2012 Summary of Insurance for SCWA, with review of specific coverages, policy limits, basis for calculating premiums, the increase in premiums based on the increase in payroll, the benefit of no installment fees, and the crime policy. Chairman Lawler, Kevin King and Greg Connors raised questions regarding the basis for calculating the payroll which directly affected the increase in premium, the earthquake coverage in relation to the water tank, and how Mr. Meager arrived at the 4% increase in property values. Mr. Meager raised the question of crime coverage for the Acting Director's position. Ms. Hynes asked how we can provide coverage for this position since it is currently being fulfilled in an independent contractor capacity. Chairman Lawler directed Ed Hernandez, Acting Director, to supply his professional liability information. If a gap is evident, Mr. Meager will provide a quote on a Surety Bond to cover same. Chairman Lawler also

requested a quote to increase the coverage for the Disability Benefits Policy from Mr. Meager. Mr. Meager concluded his presentation at 3:25 p.m. and thanked the Board for their time and attention.

The following status reports were reviewed as follows:

Production: Ed Hernandez, Acting Director, commented on the three graphs included in the Board packets. He reviewed daily flows for each municipality, overall production and fourth quarter usage and billing statistics. The Board had some difficulties with the information contained in the production charts and Mr. Hernandez stated a revised chart would be forthcoming. Kevin King pointed out at that time that there was a new procedure in place for receipt of funds. All future receivables would go directly to him for deposit.

Mr. Hernandez discussed the antenna failure at the LFTC Tank Site on December 28, 2011 and the costs associated with the repairs. Mr. Wait asked if this is a recurring problem to which Mr. Hernandez responded that the repair contractor was instructed to secure the antenna with greater capacity to withstand the high wind exposures.

Mr. Hernandez then reviewed construction contracts. He stated that Kubricky Construction continues to work on their punch list, Gross Electric is concluded and there were two lien issues to be resolved.

Mr. Hernandez reported that the Village of Stillwater officially connected on January 6, 2012.

Disinfection Byproducts: Results for 4Q 2011 were reviewed. All municipalities came in very low. A comparison to 4^Q 2010 showed that there has been a significant improvement. Ms. Hynes requested that Mr. Hernandez touch base with Town of Ballston to see if there were any residual issues.

The first motion offered was to pay the vouchers as presented. **Mr. Connors moved to authorize that vouchers, as proposed for payment, be paid subject to review by the Treasurer. The motion was seconded by Ms. Daly and passed unanimously. (Motion 2012-01)**

The next matter discussed was the adoption of the Revised 2012 Service Fee. **Chairman Lawler moved to table the matter until April, 2012, to determine if any other factors may require another revision to the Service Fee Schedule. Motion was seconded by Mr. Wait. Motion passed unanimously.**

A motion was made to approve the hiring of Bollam, Sheedy & Torani & Co. for 2011 Financial Audit Services. **Mr. Connors moved to authorize the hiring of Bollam, Sheedy, seconded by Charles Wait and passed unanimously. (Motion 2012-02)**

A Resolution was made **to raise the water rates for all municipalities pursuant to their contractual agreements.** Kevin King inquired about the rate for the Town of Malta. Mr. Hernandez explained that the rate for Malta will be included in their signed contract and will be the same as all other municipalities when that is drawn up. **Resolution was offered by Ms. Daly and seconded by Kevin King and passed unanimously. (Resolution 2012-01)**

Chairman Lawler discussed the highlights of the negotiations with Global Foundries and the opinions of the Bond Counsel. At that time, Chairman Lawler offered the **resolution to extend the temporary contract with Global Foundries to January 31, 2012. Resolution was made by Charles Wait, seconded by Kevin King and passed unanimously by all. (Resolution 2012-02)**

Chairman Lawler offered the **resolution to authorize the second amended contract for LFTCEDC. Resolution to approve was offered by Ms. Daly, seconded by Ms. Hynes and passed unanimously. (Resolution 2012-03)**

Next matter was the **motion to authorize Chairman Lawler to sign the Global Foundries contract as amended. Motion was offered by Greg Connors, seconded by Mr. Johnson. That motion also passed unanimously. (Motion 2012-03)**

Motion was made to establish a BSNB Payroll Account and authorizing Carol Alden, Confidential Secretary, to be a signatory up to \$2,000 for two employees who currently receive paper checks. Mr. King pointed out that all other employees receive their compensation by direct deposit. Motion was made by Chairman Lawler and seconded by Kevin King. This motion passed unanimously. (Motion 2012-04)

A Motion was offered by Kevin King to approve the 2012 Paid Holiday calendar and was seconded by Ms. Daly and was passed unanimously. (Motion 2012-05)

New Business:

Chairman Lawler asked that all Board Members please fill out the Financial Disclosure Forms and return them to Craig Crist before the next meeting.

The next discussion was the scheduling of the Governance, Personnel, Audit and Finance Committee. Kevin King requested that the Confidential Secretary send out a schedule of which Committee will meet prior to the regular Board Meetings.

Year End Performance Evaluations were discussed by Chairman Lawler and reiterated that this is an ABO requirement by all Board Members. All Evaluations need to be returned to the Authority offices before the next regular scheduled meeting.

The next meeting of the SCWA Board of Directors was scheduled for February 23rd, 2012 at 2:45 p.m.

The final matter was discussion of a request for future credit on water usage from WWSA. Mr. Hernandez explained that Wilton had agreed to pay their minimum charge even though they have not taken any water. Mr. Johnson commented that WWSA wants to have a credit for the water not used against future quantities taken. Mr. Johnson pointed out that other towns did not pay their minimums when they were offline. **Chairman Lawler moved to table the matter until further details were provided by Mr. Hernandez. Seconded by Mr. Johnson.**

Upon motion by Mr. Wait, seconded by Ms. Hynes, the Board unanimously adjourned to executive session at 4:35 p.m. to discuss the Begum litigation and a personnel matter relating to possible pay increases.

The Board returned to open meeting at 5:10 p.m. at which time Mr. Hernandez requested a **motion to grant 2% raises to all current employees of the Water Authority** with the exception of the newly hired Confidential Secretary position. **On a motion by Chairman Lawler, the matter was tabled until the next meeting of the Water Authority Personnel Subcommittee. Motion was seconded by Mr. Johnson.**

At 5:12 p.m. **motion was made by Chairman Lawler to return to Executive Session** to discuss a personnel matter. Seconded by Ms. Daly. Motion carried unanimously.

The Board returned to open meeting at 5:30 p.m. **Motion was made by Chairman Lawler to adjourn** and seconded by Mr. Connors. The Board unanimously resolved to adjourn the meeting at 5:30 p.m.

Respectfully submitted,

Carol A. Alden, Confidential Secretary