



SARATOGA COUNTY WATER AUTHORITY

JOHN E. LAWLER, CHAIRMAN
ED HERNANDEZ, ACTING EXECUTIVE DIRECTOR

260 BUTLER ROAD, GANSEVOORT, NY 12831
TELEPHONE: (518) 761-2058
FACSIMILE: (518) 792-4942
www.saratogacountywaterauthority.com

J. GREGORY CONNORS
ANITA M. DALY
MARY BETH HYNES
ARTHUR J. JOHNSON
KEVIN T. KING
CHARLES WAIT

SARATOGA COUNTY WATER AUTHORITY OFFICIAL BOARD MEETING MINUTES THURSDAY, APRIL 26, 2012; 3:00 PM

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

Chairman Lawler called the regular meeting to order at 3:10 p.m. and welcomed all in attendance.

Chairman Lawler discussed that the Audit Committee had met in Executive Session prior to regular Board Meeting to review the draft of the financial audit and the results of that meeting would be discussed in Executive Session.

A motion was made by Anita Daly and seconded by Mary Beth Hynes to adopt the draft minutes of the March 22, 2012 meeting as the official minutes of that meeting.

Ayes - Lawler, Daly, Johnson, King, Hynes

No - None

Abstain - Connors

Motion to accept the draft minutes was passed.

(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.)

Production: Ed Hernandez, Acting Director, discussed the monthly graphs and that the plant produced about 3 MGD during March. Chairman Lawler inquired how much of that was Global Foundries. After review of the chart, it was indicated that they are trending towards increases. He inquired of Ms. Daly if she knew what Global Foundries' startup schedule was. She answered she did not have that information. She spoke about all the activity that is currently going on at the company in preparation for general production.

Financial: Mr. Hernandez discussed the first quarter financial reports. It was reflected that the Authority operated at 57% of total budgeted costs. Expenses totaled \$374,435 for the first quarter of 2012. Revenues were anticipated at \$834,000 and actual was \$629,000. Mr. King made a recommendation that a budget transfer be voted on at the next monthly meeting to transfer the former director's salary to professional services in order to appropriately reflect the budget v. actual costs for the professional management of the facility.

Mr. Hernandez also discussed the Monthly Management Report which detailed the past month's activities at the Authority. Mr. King interjected with an update regarding the outstanding payment application due to Gross Electric. He stated that he had contacted Malcolm Pirnie for final approval on the payment application. The final approval was in regard to an automated valve that needed final inspection. Hernandez then spoke about the semi-annual flushing that was currently scheduled. Mr. Connors inquired whether or not the twice yearly flushing would alleviate any issues relevant to the same that occurred in the last quarter of 2011. Mr. Hernandez indicated that it would. He then discussed the ongoing audit with the NYS Authorities Budget Office and provided an update on the progress of same. Mr. Connors then inquired about the lack of communication from Malcolm Pirnie listed in Mr. Hernandez' report. He inquired if they had provided an explanation as to the delay. He also wanted to know if the documents requested were inclusive in our original contract with them. Hernandez deferred to legal counsel regarding contract terms. At that time, Chairman Lawler directed Craig Crist, Special Counsel, to follow up with a communication to assist Hernandez in acquiring the information requested and the remainder of the Board members concurred.

The first motion was to authorize the payment of the vouchers for the month at a total cost of \$138,219.92, as reviewed and approved by Kevin King, Treasurer. **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. Hynes and passed unanimously. (Motion 2012-20)**

The next matter discussed was the proposed Stream Mitigation Plan. Mr. Hernandez discussed that a committee has been formed to handle the project in house to reduce costs. He discussed that the cost of the project at \$300,000 had already been allocated with Construction funds. A copy of the NYS DEC permit was included in the report and Hernandez stated that there were important dates that needed to be complied with. The first being May 1st to submit a completed plan. The project needs to be accomplished by May of 2013. Mr. Hernandez discussed that the project will be put out to bid on a time and materials basis. Mr. Connors discussed the different sites and if all sites would be accomplished. Hernandez responded that the project would continue until the funds were exhausted. The Board made no final determinations relating thereto and the matter was tabled.

New Business:

Chairman Lawler inquired if there was any new business to discuss. There were no responses at that time.

The next meeting of the SCWA Board of Directors was scheduled for May 22, 2012 at 2:30 p.m., with the Finance Committee meeting at 2:00 p.m. on that date.

Upon motion by Mr. Connors, seconded by Mr. Johnson, the Board unanimously adjourned to executive session at 3:30 p.m. to discuss contract negotiations with Delaware Engineering, a litigation update, a personnel matter, and the draft financial audit results.

The Board returned to open meeting at 4:42 p.m. At that time, **Motion was made by Ms. Hynes to adjourn and seconded by Mr. Connors. The Board unanimously resolved to adjourn the meeting at 4:42 p.m.**

Respectfully Submitted,

**Carol A. Alden
Confidential Secretary
SCWA**