



# SARATOGA COUNTY WATER AUTHORITY

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## SARATOGA COUNTY WATER AUTHORITY BOARD OF DIRECTORS DRAFT MEETING MINUTES THURSDAY, FEBRUARY 25, 2021 @ 3:30 P.M.

**PRESENT:** Vice Chairman Timothy Szczepaniak, Treasurer Philip Barrett, Deputy Treasurer Theodore Kusnierz, Jr., Supervisor Darren O'Connor, Mr. Robert Wilcox, Esq. and Executive Director Ed Hernandez. Also present by phone, Mr. Arthur Johnson and General Counsel Leah Everhart, Esq.  
**ABSENT:** Chairman John Lawler

Chairman Lawler inquired if there were any changes, additions or deletions to the December 17, 2020 meeting minutes. **On a motion by Mr. Wilcox and a second by Mr. Barrett the minutes of the January 21, 2021 meeting were adopted. Unanimous. (2021-0055)**

### Reports:

**Operations:** Mr. Hernandez reported water flows for January 2021 were 5.97 mgd and a rolling annual average of 7.157 mgd.

**Financials:** Mr. Hernandez read the Administrative Summary as of January 31, 2021. Budgeted water revenues through January 31, 2021 were \$528k and actual revenues were \$548k. Budgeted expenses through January 31, 2021 were \$168k and actual expenses were \$160k. The next Bond payment is due March 1<sup>st</sup>, 2021 for \$776,147. Cash available for operations after debt service was estimated at \$910k.

**Capital Projects:** Mr. Hernandez requested approval from the Board to purchase the remaining modules required for the existing five racks in accordance with the approved Pall agreement/bids received. He further explained that the facility has seen an increase in filtration capacity as a result of the first rack replacement and that the new modules would support SCWA requirements to meet peak Summer water demands. He noted that the existing modules have reached their anticipated useful life. Mr. Barrett inquired about the increase in output from the new modules. Mr. Hernandez indicated staff reported an increase of over 25%. He indicated the funds were available in the Capital Projects Fund. The Board agreed to proceed with the purchase of modules for all racks. After the discussion on modules, a discussion ensued on the current WTP Expansion Project. He referred the Board to the Allowance Request from the General Contractor, W. M. Schultz, and memo from Delaware Engineering for additional lagoon

feed piping at a cost of \$18,706.92 and replacement flanges for a blower at a cost of \$1,774.10. Both items were approved by Mr. Hernandez as previously allowed by the Board.

**Legal:** Ms. Everhart reported the closing with LFTC EDC for the additional tank property on 17 Cordero Blvd in Stillwater was moving along slowly. She indicated she had just received the proposed Deed and would be reviewing that for the next meeting. She then wanted to counsel the Board that for the proposed SEQR review the Board should take the time to consider each item. Mr. Hernandez stated he would be going through Part II one item at a time.

**Motions & Resolutions:**

**Motion was made by Supervisor Kusnierz and seconded by Mr. Wilcox to authorize the payment of the monthly vouchers at a cost of \$129,485.57 in operating costs, \$200,939.12 in Plant Expansion Project costs and \$105,049.07 in module replacement costs. Treasurer Barrett had reviewed all vouchers and was in favor of paying all presented. Motion carried unanimously. (2021-0056)**

At this time, Mr. Hernandez commenced reading the EAF Parts 2 and 3 for Board review and consideration. Each item was reviewed and considered by the Board. Final copies are included in these minutes. Upon completion of the SEQRA review the following resolution was presented for the Board's consideration:

**RESOLUTION 2021-0057 MAKING DETERMINATION UNDER STATE ENVIRONMENTAL QUALITY REVIEW ACT FOR PROPOSED WATER TANK PROJECT**

**WHEREAS**, the Saratoga County Water Authority owns and operates a County-wide water system which is vital to providing an adequate supply of potable drinking water to communities within Saratoga County; and

**WHEREAS**, the system currently includes raw water intake and pump station facilities in the Upper Hudson River, a water treatment plant in the Town of Moreau, approximately 26 miles of transmission main from the Town of Moreau to the Town of Stillwater and a water storage tank in the Town of Stillwater; and

**WHEREAS**, the Authority seeks to address water supply needs and continue serving its municipal customers through the construction of a new 5 Million Gallon storage tank adjacent to an existing 5 Million Gallon storage tank on Cordero Drive in the Town of Stillwater; and

**WHEREAS**, the proposed tank will be constructed on existing easements and land rights owned by the Saratoga County Water Authority; and

**WHEREAS**, Authority Engineers have developed a detailed analysis which fully describes the proposed improvements and have prepared Part 1 of a Full SEQRA Environmental

Assessment Form (EAF), both of which have been provided to and reviewed by the Authority; and

**WHEREAS**, the project site is proximate to the Harder/Bullis Historic Archeological Site, a National Register eligible site, which was previously the subject of a report entitled “Phase IB and II Archaeological Investigations, SCWA-Halfmoon Connector Project, Coons Crossing Road to the Cordero Drive Water Tank at LFTC, Harder/Bullis Historic Site, Town of Stillwater, Saratoga County, New York” (Report); and

**WHEREAS**, the Authority caused a Phase IB Archaeological Survey to be performed over a portion of the site not previously part of the Report and caused an Addendum to that Report to be prepared, which Addendum has likewise been provided to and reviewed by the Authority; and

**WHEREAS**, the Authority declared itself Lead Agency in connection with this proposed project and provided notice of this to all SEQRA Involved Agencies on or about July 9, 2020;

**WHEREAS**, despite passage of more than 30 days since such notice was provided, no potential Involved Agencies have objected to designation of the Authority as the SEQRA Lead Agency.

**NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:**

1. The Authority hereby assumes Lead Agency status for any SEQRA review of the proposed Action described herein and more fully described in the EAF and engineering analysis.
2. The Authority identified the proposed Action as a Type I Action and has undertaken Coordinated Review.
3. The EAF, the detailed analysis provided by Authority Engineers and the Phase IB Addendum prepared to evaluate the Harder/Bullis Historic Archeological Site contain sufficient information for the Authority to analyze the potential impacts of the proposed Action.
4. Based upon review of the EAF, the entire SEQRA Record and all related discussions, the Authority hereby finds and determines that the proposed Action will have no significant adverse environmental impacts and the Authority hereby adopts a determination of non-significance SEQRA Negative Declaration.
5. The Authority authorizes and directs its Chairman, Clerk, Engineers and/or Legal Counsel to take such further actions as may be necessary to effectuate the intent of this Resolution.

The question of the adoption of this Resolution was duly put to a vote on roll call which resulted as follows:

AYES: Barrett, Johnson, Kusnierz, O'Connor, Szczepaniak, Wilcox  
NAYS:  
ABSENT: Lawler

ROLL CALL

AYES: 6 NAYS: \_\_\_\_\_ ABSENT: 1

*The Resolution was presented on a motion by Mr. Barrett and seconded by Mr. Johnson. The Resolution was duly adopted.*

The next matter was a **motion to adopt the 2020 Investment Report as recommended by the Finance Committee. Motion was made by Mr. Johnson and seconded by Mr. Wilcox. Unanimous. (2021-0058)**

The next matter was a **motion offered by Mr. Wilcox and seconded by Mr. Johnson to adopt the 2020 Procurement Report for posting to PARIS. Unanimous. (2021-0059)**

The next matter was to consider the request from General Control Systems (GCS), GCS currently provides maintenance and calibration services for the existing computer control systems at the facilities. Motion was made by Mr. Kusnierz and seconded by Mr. O'Connor. Mr. Hernandez reviewed the rate adjustment and indicated that General Controls did not request any adjustments to the Prevailing Wage rates in 2020 so they were requesting the 6% over the two-year period. Mr. Barrett inquired if 3% was high. Mr. Hernandez stated he can go back to the vendor and ask for further explanation. Mr. Barrett inquired what the dollar impact was. Mr. Hernandez stated it was approximately \$2,800. At this time, the Board directed Mr. Hernandez to go back to GCS for further explanation for the rate hikes.

The final matter before the Board was a request by Mr. Hernandez to authorize a reduction in the Town of Halfmoon's annual usage requirement for 2020 by 2 million gallons. He indicated that the plant was having an issue and he had requested that they go offline for two days in December. **Motion was made by Mr. Szczepaniak and seconded by Mr. Wilcox to authorize the reduction of the Town of Halfmoon's annual minimum usage by two million gallons. Motion carried unanimously. (2021-0054)**

Vice Chairman Szczepaniak stated the next Board meeting was proposed for March 25, 2021 at 3:30 p.m. There would also be Audit & Governance Committee meetings prior to that at 3:15p.m. Members of those committees are as follows:

Audit Committee: Johnson, O'Connor & Wilcox  
Governance Committee: Johnson, Lawler & Szczepaniak

The final matter for discussion was under Old Business. Mr. Szczepaniak inquired about the two water contracts still outstanding and the progress made by counsel and Mr. Hernandez. He indicated the meeting

with Clifton Park Water Authority (CPWA) went very well. Ms. Everhart indicated the Mr. Hernandez had additional discussions with Mr. Austin of CPWA. She indicated she had additional discussions with Wilton Water and Sewer Authority (WWSA). Mr. Hernandez believed the next step with Wilton was to draft the language that both parties had agreed to. Ms. Everhart agreed. Mr. Hernandez discussed the three changes that CPWA requested regarding the peak flow requirements from CPWA. He indicated that the request for 2.5mgd peak flow guaranteed supply was too excessive when their annual obligation at 500,000gpd. He reviewed with Mr. Austin their actual usage which is about 1.3 mgd. Mr. Austin agreed to bring their minimum purchase obligation to 1mgd if they could get a peak guaranteed flow of 2.5mgd. The next matter was the annual versus quarterly minimums. Mr. Austin had indicated that CPWA would have difficulty meeting the daily obligations on a quarterly basis. Mr. Hernandez stated that Mr. Austin first was comfortable with a six-month basis but has since indicated that their Board wishes the minimum purchase obligation to remain based on an annual period as was previously in prior contracts. Mr. Hernandez stated he had concerns with that as he did not want the Authority in a position where any customer could take large amounts of water over the summer and then stop taking water in the wintertime. This would create operating issues for the treatment process. He indicated he wished to remain at the six-month average. Mr. Barrett inquired if CPWA is already meeting their daily obligations and how would it affect this. Mr. Hernandez indicated that they have never dropped off significantly over the span of the last contract so Mr. Barrett felt that was a good indicator that they would not do so now. He indicated that the problem with CPWA last year was with the NYS Canal Corp, as well as other municipalities, who's wells were not recharging due to low flows in the river. Mr. Barrett felt that an annual average was doable. He then inquired about the length of the contract. Mr. Hernandez indicated that Mr. Austin was fine with another 10-year contract. Mr. Szczepaniak indicated he was surprised by that as they were interested in a 5-year contract. Mr. Hernandez indicated the new CPWA had just invested significant resources in a new pump station and were likely interested in recouping their investment. Mr. Szczepaniak inquired from the rest of the Board if they were comfortable with an annual average. Mr. Wilcox indicated that the Clifton Park Planning Board has had a couple of major commercial projects that will be needing water as well, so there will always be demand for more water. Mr. Barrett stated he did not want our customers to go elsewhere for their water supply. The remainder of the Board agreed that the annual basis for water consumption calculations remain in the contract renewal for the CPWA.

**At 4:25 p.m., with no further business, a motion was made by Mr. Barrett and seconded by Mr. Wilcox to adjourn. Motion carried unanimously.**

**Respectfully Submitted,**

**Carol A. Alden,  
Confidential Secretary**