



SARATOGA COUNTY WATER AUTHORITY

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

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

PHILIP C. BARRETT
ARTHUR J. JOHNSON
THEODORE T. KUSNIERZ, JR.
DARREN S. O'CONNOR
TIMOTHY J. SZCZEPANIAK
ROBERT D. WILCOX

SARATOGA COUNTY WATER AUTHORITY BOARD OF DIRECTORS ADOPTED MEETING MINUTES THURSDAY, APRIL 29, 2021 @ 3:30 P.M.

PRESENT: Chairman John Lawler, Vice Chairman Timothy Szczepaniak, Treasurer Philip Barrett, Deputy Treasurer Theodore Kusnierz, Jr., Supervisor Darren O'Connor, Mr. Art Johnson, Mr. Robert Wilcox, Esq. Also, Executive Director Ed Hernandez and Doug Heller, LA Group and Jessie Bouchar, Kodiak Construction, Project Manager and Contractor for Mulberry Estates. Also present by phone, General Counsel Mark Schachner, Esq. **ABSENT:** None

At this time, Chairman Lawler (Attending by Phone) requested that Vice Chairman Tim Szczepaniak (Attending in-Person) manage the agenda. Mr. Szczepaniak then welcomed everyone to the meeting and requested that Mr. Hernandez introduce the representatives from the Mulberry Estates project. Mr. Hernandez introduced Doug Heller of the LA Group as well as Mr. Jessie Bouchar, Kodiak Construction.

Mr. Heller presented a revised map of the subdivision and pointed out where the proposed road would be in relation to the SCWA's easement. The revised plan shows that the proposed roadway has been moved 19 feet to the west and is no longer planned above the existing SCWA pipeline except for a road crossing at the cul-de-sac. A letter from Mr. Heller was presented that indicated that the pipeline would be protected at all times. Mr. Wilcox expressed his concerns having any pavement located above the pipeline. Mr. Hernandez indicated that with 30 miles of pipeline that the SCWA has allowed roadways to be constructed across the pipeline in the past. This was the first project where the roadway was originally proposed along the pipeline and not just for a crossing. Mr. Wilcox indicated that if this was allowed in the past that he would not object for this project. The board then took a poll, and all Board members unanimously voted to allow the project to move forward with the noted impacts to the easement with the proposed changes presented by Mr. Heller.

Vice Chairman Szczepaniak inquired if there were any changes, additions or deletions to the March 25, 2021 meeting minutes. **On a motion by Mr. Barrett and a second by Mr. Johnson the minutes of the March 25, 2021 meeting were adopted. Unanimous. (2021-0067)**

Vice Chairman Szczepaniak inquired if there were any changes, additions or deletions to the March 25, 2021 meeting minutes of the Audit Committee. **On a motion by Mr. Wilcox and a second by Mr.**

Johnson the minutes of the March 25, 2021 Audit Committee meeting were adopted. Unanimous. (2021-0068)

Vice Chairman Szczepaniak inquired if there were any changes, additions or deletions to the March 25, 2021 meeting minutes of the Governance Committee. **On a motion by Mr. Johnson and a second by Mr. Barrett the minutes of the March 25, 2021 Governance Committee meeting were adopted. Unanimous. (2021-0069)**

Reports:

Operations: Mr. Hernandez reported water flows for March 2021 were 6.08 mgd and a rolling annual average of 7.21 mgd.

Financials: Mr. Hernandez read the Administrative Summary as of March 31, 2021. Budgeted water revenues through March 31, 2021 were \$1.58 mil and actual revenues were \$1.57 mil. Budgeted expenses through March 31, 2021 were \$515k and actual expenses were \$472k. The next debt service payment is due May 1st, 2021 for \$206,900 to the Saratoga County IDA. Also, a small interest payment is due to NYS EFC for the Halfmoon Project. Cash available for operations after debt service was estimated at \$1.437 mil.

Capital Projects: Mr. Hernandez reported that the Plant Expansion Project was moving along but was still behind schedule and that a draft of the Distribution Study being completed by EDP should be available in about 30 days. He indicated that he would be presenting a Bond Resolution during the meeting for the Second Water Tank Project at Luther Forest. Supervisor Barrett indicated that it was important that the SCWA prepare, to the extent practicable, for expanding the system to accommodate GlobalFoundries and growth. Supervisor Lawler indicated that the Board had worked with GlobalFoundries in the past for consideration of a second chip plant and that a letter had been provided to them indicating that the SCWA was prepared to provide them with additional water but that capital improvements would be required and that GlobalFoundries would be needed to participate in the funding.

A memo from Delaware Engineering was presented which showed several construction changes that were needed and would require the use of contingency funds. The Board requested that Mr. Hernandez investigate the reasons and responsibilities for the \$11,108 change order for the failure of the dowel bar couplers from the original plant construction which resulted in the change order.

Legal: Mr. Schachner reported that the Water Agreements with Clifton Park Water Authority was modified at their request to change the format from the Standard Contract with an Addendum to a modified Agreement tailored to CPWA. CPWA had no other substantive changes. All board members agreed that the new format would be acceptable. He had nothing new to report on the property acquisition in Luther

Forest at this time except that the LFTCEDC is experiencing delays due to approvals needed from the NYSESD and recommended that a letter be sent to the LFTCEDC indicating that time is of the essence and that a closing date should be designated prior to June 1, 2021. Mr. Lawler indicated that he would reach out to ESD to see if the approvals could be moved forward.

Motions & Resolutions:

Motion was made by Chairman Lawler and seconded by Mr. Johnson to authorize the payment of the monthly vouchers at a cost of \$1,270,877.32 which included \$161,193.70 in operating expenses, \$273,014.28 in Plant Expansion Project costs, \$ 206,900.00 in IDA debt service and \$629,769.34 in replacement modules for the Pall Membrane System. Treasurer Barrett had reviewed all vouchers and was in favor of paying all presented. Motion carried unanimously. (2021-0070)

The next item was a motion to adopt a bond resolution for the funding of the new second tank at Cordero Drive (Copy Attached). On a motion by Mr. Wilcox and a second by Supervisor Kusnierz the motion carried. Unanimous. (2021-0071)

The next item was a motion to approve the submittal of the DWSRF Funding application for the new tank to the NYSEFC and direct Vice Chairman Szczepaniak to sign the application. On a motion by Supervisor Barrett and a second by Mr. Johnson the motion carried. Unanimous. (2021-0072)

The next item was a motion to approve the resolution authorizing a CD Account with Adirondack Trust for \$500,000 for 6 months at 0.15% interest. Three quotes were obtained for the CD. On a motion by Supervisor Barrett and a second by Supervisor Darren O'Connor the motion carried. Unanimous. (2021-0073)

Vice Chairman Szczepaniak stated the next Board meeting was proposed for May 27, 2021 at 3:30 p.m.

At 4:20 p.m., with no further business, a motion was made by Mr. Wilcox and seconded by Vice Chairman Szczepaniak to adjourn. Motion carried unanimously.

Respectfully Submitted,

**Carol A. Alden
Confidential Secretary**