



SARATOGA COUNTY WATER AUTHORITY

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SARATOGA COUNTY WATER AUTHORITY BOARD OF DIRECTORS OFFICIAL MEETING MINUTES THURSDAY, APRIL 26, 2018 @ 3:30 P.M.

PRESENT: Vice Chair Anita Daly, Supervisor Art Johnson, Deputy Treasurer Tim Szczepaniak, Board Members Darren O'Connor and Jim Smith; Executive Director Ed Hernandez and General Counsel Leah Everhart, Esq. **ABSENT:** Chairman Lawler and Treasurer Tom Cumm.

Ms. Daly called the regular meeting to order at 3:30 p.m. and welcomed all in attendance. The meeting was held in the Board of Supervisors Meeting Room One.

Motion was made by Mr. Szczepaniak and seconded by Mr. O'Connor to adopt the draft minutes of the March 22, 2018 meeting minutes as the official minutes of that meeting. Motion to adopt the minutes was unanimous.

Motion was made by Mr. Johnson and seconded by Mr. O'Connor to adopt the draft minutes of the March 22, 2018 Audit Committee meeting minutes as the official minutes of that meeting. Motion to adopt the minutes was unanimous.

(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.)

Reports:

Production: Mr. Hernandez reported that production data for the month of March 2018 was 5.14 MGD. Rolling annual average was 5.47 MGD.

Financial: Mr. Hernandez discussed the financial reports through March 31, 2018. Revenues for the year were budgeted at \$1.3 million while actual revenues were \$1.35 million. Budgeted expenses through March 31, 2018 were \$460,000 while actual expenses were \$402,000. Estimated cash available for operations at June 1, 2018 after the next debt service payment is estimated at \$2.1 million. The next scheduled debt service payment is \$180,000 on June 1, 2018 for the Series 2014 Bonds.

Legal: Attorney Everhart reported on the two matters worked on last month. The first was a SEQRA review for the proposed plant expansion. The second matter was certain easement agreements requested by the Executive Director to facilitate negotiation with land owners in the facility extension project with Halfmoon. He stated that four of the five easements were able to reach equitable terms to procure agreements. He stated that the fifth easement was with counsel as there were several owners on the deed to the property and that not all members were reachable. He discussed a possible Eminent Domain action in order to facilitate an easement and keep the project on schedule. Mr. O'Connor inquired how many owners were on that particular property. Mr. Hernandez responded that some were quite elderly, some were out of state and one was deceased. Ms. Everhart stated that they had reached out to one of the owners and were still attempting to gather information to determine the most advisable approach. Mr. Hernandez inquired about the best approach for determining value of the easement needed and Ms. Everhart indicated that appraisals would be best. Ms. Everhart stated that they would have more information at the next Board meeting. Vice Chair Daly asked that a memo be issued to the Board addressing options prior to the next meeting.

Mr. Hernandez then gave a brief update on the Storage Building Project.

Motions & Resolutions:

Motion was made by Ms. Daly and seconded by Mr. Johnson to authorize the payment of the monthly vouchers at a cost of \$92,026.68 in operating costs, \$8,671.10 in Storage Building Project Costs, and \$3,140.00 in Halfmoon Project Costs. Mr. Szczepaniak stated he had reviewed all vouchers and had no concerns with the payments. **Motion carried unanimously. (2018-0014)**

The following long form Resolution was offered by Mr. Johnson and seconded by Mr. Smith:

**RESOLUTION # 2018-0015 OF THE SARATOGA COUNTY WATER AUTHORITY
DECLARING ITS INTENTION TO SERVE AS LEAD AGENCY PURSUANT TO THE
STATE ENVIRONMENTAL QUALITY REVIEW ACT CONCERNING CERTAIN
IMPROVEMENTS OF ITS WATER TREATMENT PLANT**

WHEREAS, the Saratoga County Water Authority (Authority) owns and operates the Saratoga County Water Treatment and Transmission Facilities Project (Project) which includes raw water intake and pump station facilities in the Upper Hudson River, a water treatment plant in the Town of Moreau, 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 treatment plant was designed for an initial annual average daily flow of 7 million gallon per day (mgd) and a peak hourly flow of 14 mgd; and

WHEREAS, currently, the annual average daily flow for the facility exceeds 5.3 mgd and the Authority anticipates reaching capacity within the next three years; and

WHEREAS, the Authority wishes to expand the capacity of the plant by 4 mgd which is expected to increase the average daily flow capacity to 9 mgd and the peak hourly flow capacity to 18 mgd; and

WHEREAS, the Authority may seek financial support from the New York State Environmental Facilities Corporation (EFC); and

WHEREAS, EFC has previously indicated a preference that expansion of the Authority's infrastructure be treated as a separate Action for SEQRA purposes and has imposed this as a condition of its assistance.

NOW, THEREFORE, BE IT RESOLVED, that the Authority hereby declares its intention to treat the contemplated improvements as a Type I Action for SEQRA purposes; and be it further

RESOLVED, that the Authority hereby declares its intention to serve as SEQRA Lead Agency for the purpose of conducting coordinated review of the proposed Action; and be it further

RESOLVED, that the Executive Director of the Authority is hereby authorized and directed to provide notice to all potential SEQRA Involved Agencies of this Resolution and the Authority's intention to serve as Lead Agency for the purpose of conducted coordinated review of this Action and shall further forward Part 1 of the Full Environmental Assessment Form which has already been prepared concerning this Action.

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

AYES: *Daly, Johnson, O'Connor, Smith, Szczepaniak*
NAYS: *none*
ABSENT: *Cumm, Lawler*
ABSTAIN: *none*

The Resolution was declared duly adopted on April 26, 2018.

Mr. Hernandez stated he would get letters out in order to comply with the 30 day rule for SEQRA.

New Business:

The next meeting of the Saratoga County Water Authority Board of Directors was scheduled for Thursday, May 24, 2018 at 3:30 p.m.

The final matter was a Resolution amending terms of the Supplemental Bond Resolution No. 2016-0044 Dated June 15, 2016 and Adopted by the Saratoga County Water Authority. Ms. Everhart discussed the reasons behind this proposed amended resolution as it relates to the pending EFC Funding Agreement. She also discussed a change in personnel at the firm that advised the Authority on Bond matters. Originally, the SCWA had passed the Supplemental Resolution to include prior debt from the original construction of the facility. However, since that time, it has been determined that the EFC would not allow the prior debt to be incorporated into the new agreement. Therefore, a revised Supplemental Resolution was required by EFC with the total debt between all parties for the Halfmoon-SCWA project. The previous resolution outlined a not to exceed amount of \$4,500,000, however the EFC was requiring that the total cost of the project be outlined in the resolution including Halfmoon's portion as the Agreement would be strictly with the Water Authority. Ms. Everhart identified the changes for the amendment. She noted Exhibit pages A3 and A4 which outlined project costs for the Authority and Halfmoon respectively. Specifically, she referenced the WIIA Grant lines. She stated that the project in total is a \$5.7 million project from the EFC standpoint, which includes Halfmoon's portion. She proposed that the Board pass the amended Supplemental Resolution subject to the amendments mentioned and also subject to revision of Exhibit A to more accurately reflect the WIIA grant amount and project costs.

Motion was offered to adopt the amended bond resolution with the following changes:

- 1. Insert the phrase "Bond" to second "Whereas" paragraph, first line, "...the Supplemental Bond Resolution..." making clear that no refinancing is happening.**
- 2. Amend Exhibit A be revised in order to correct the amount of the project costs for the WIIA grant.**

Motion was made by Mr. O'Connor and seconded by Mr. Johnson. Unanimous. (2018-0016)

With no further action, motion to adjourn was made by Mr. Johnson and seconded by Ms. Daly. Motion passed and meeting was adjourned at 3:40 p.m.

Respectfully Submitted,

Carol A. Alden, Confidential Secretary