



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

THOMAS K. CUMM
ANITA M. DALY
ARTHUR J. JOHNSON
DARREN O'CONNOR
JAMES M. SMITH
TIMOTHY SZCZEPANIAK

SARATOGA COUNTY WATER AUTHORITY BOARD OF DIRECTORS OFFICIAL MEETING MINUTES THURSDAY, DECEMBER 19, 2019 @ 3:30 P.M.

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

Chairman Lawler welcomed all to the meeting and opened the Public Hearing on Proposed Water Rates for 2020 at 3:35 p.m. The Public Notice was read aloud by Mr. Hernandez.

NOTICE OF PUBLIC HEARING

PLEASE TAKE NOTICE that the Saratoga County Water Authority ("SCWA") will meet at Saratoga County Municipal Complex, Building 1, 40 McMaster Street, Ballston Spa, NY 12020 (in Conference Room #1) on December 19, 2019 at 3:30 p.m. for the purpose of conducting a public hearing relating to the proposal to increase the applicable municipal water charge under the subject contract by .5% from \$2.310 per 1,000 gallons to \$2.322 per 1,000 gallons and to increase the industrial/commercial water charge under the subject contract by 1% from \$3.283 per 1,000 gallons to \$3.316 per 1,000 gallons. At that time and place said SCWA Board will hear all persons interested in the subject thereof concerning the same. Any person may submit written views thereon in advance of said meeting in care of the SCWA at 260 Butler Road, Gansevoort, NY 12831, or may be heard in person at said meeting.

Chairman Lawler inquired if anyone was present who wished to speak. No one presented who wished to speak. Chairman Lawler inquired if any communications were received relevant to the Public Hearing.

Secretary Alden stated no submissions were received. Chairman Lawler stated the Public Hearing would remain open for a time in the event a member of the public arrived to speak.

At this time Chairman Lawler inquired if there were any requests for changes or deletions to the meeting minutes of November 21, 2019. No comments from Board members.

Motion was made by Mr. Cumm and seconded by Mr. O'Connor to adopt the draft minutes of the November 21, 2019 meeting minutes as the official minutes of that meeting. Motion passed.

Motion was made by Mr. Cumm and seconded by Mr. O'Connor to adopt the draft minutes of the November 21, 2019 Personnel Committee meeting minutes as the official minutes of that meeting. Motion 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.)

Reports:

Production: Mr. Hernandez reported that production data for the month of November was 5.54 MGD. Rolling annual average was 6.02 MGD.

Financial: Mr. Hernandez discussed the financial reports through November 30, 2019. Revenues for the year were budgeted at \$5.23 Million while actual revenues were \$5.74 Million. Budgeted expenses through November 30, 2019 were \$1.85 million while actual expenses were \$1.65 million. Estimated cash available for operations at March 1, 2020 is \$755,000 after the next debt service payment of \$793,000.

Capital Projects: Mr. Hernandez stated that the Town of Halfmoon had begun taking water but were not yet up to the required minimum amount in their contract due to start-up issues. He estimated that they would be taking closer to their contractual amounts within a couple of weeks.

Mr. Hernandez then discussed the Phase II Plant Expansion Project. He anticipated that design work would be completed by January 31st and was anticipating bidding to commence in March. He stated the closing with NYS EFC was anticipated to be in early February.

Legal Update: Ms. Everhart reported the items the firm had worked on in the past month. The first being a form contract for Municipal Water Customers. A copy of the draft contract was included in member's packets for their review and comments. She reviewed items of particular terms for the Board to consider. Chairman Lawler had a concern regarding termination terms. Ms. Everhart reviewed the language on that matter. She also requested that the Board review the more concise language for the resale of water. Mr.

Hernandez requested that Ms. Everhart's firm also prepare a standard contract for commercial customers. Mr. Hernandez also stated he would be adding some technical language regarding metering equipment. Ms. Everhart welcomed any changes he wished to be made.

Ms. Everhart also indicated the Town of Malta Addendum to their water Agreement is also included in the packet for members' review and comment. She inquired if the Board would perhaps rather consider entering into a new 10 year contract since the current one was set to expire at the end of 2022.

Motions & Resolutions:

Motion was made by Mr. Cumm and seconded by Mr. Johnson to approve the following budget transfers:

- 1. \$10,000 from Salaries & Wages to Health Insurance Expense.**
- 2. \$10,000 from NYS Retirement Expense to Health Insurance Expense.**
- 3. \$8,000 from Chemicals Expense to Fuel Expense.**
- 4. \$15,000 from Chemicals Expense to Pipeline Equipment.**
- 5. \$250 from Equipment Parts: Distribution to Safety Equipment.**
- 6. \$500 from Business Licenses & Permits to Bank Fees.**
- 7. \$3,000 from Vehicle & Grounds Maintenance to Plant Repairs & Maint.**

Motion carried unanimously. (2019-0053)

Motion was made by Mr. Cumm and seconded by Mr. O'Connor to authorize the payment of the monthly vouchers at a cost of \$213,835.85 in operating costs, \$1,976.70 in Halfmoon Project Costs, \$46,981.80 in Phase II Expansion costs. Motion carried unanimously. (2019-0054)

The next matter was a **Motion made by Chairman Lawler and seconded by Mr. O'Connor to authorize the Chairman to execute a new two (2) year agreement with Miller, Mannix, Schachner and Hafner, LLC for the provision of legal services at the rate of \$225 per hour. Motion carried unanimously. (2019-0055)**

New Business:

The next meeting of the Saratoga County Water Authority Board of Directors was scheduled for Thursday, January 23, 2020 at 3:30 p.m.

At this time, Chairman Lawler discussed that the business of the Board was concluded for 2019 and some members' term dates would be expiring on December 31, 2019. He indicated that due to the county wide elections the board would be losing two members in order to retain the legislative structure of the board. He stated Mr. Cumm and Mr. Smith would not be renewing their seats on the Board. Chairman Lawler

acknowledged an email communication from Mr. Smith thanking the Board for his time on the Board. He also acknowledged Mr. Cumm's time on the Board and what a valuable member he had been and had made great contributions to the Water Authority Board. Mr. Cumm thanked the other members and expressed that he enjoyed his five years on the Board.

Chairman Lawler announced that the Public Hearing for 2020 Water Rates was now closed at 3:56 p.m. Motion was made by Mr. Johnson and seconded by Mr. Cumm to adopt the 2020 Proposed Water Rate schedule for municipal customers at \$2.322 per thousand gallons and \$3.316 for all industrial/commercial customers. Motion carried unanimously. (2019-0056)

At 4:15 p.m., with no further business, a motion was made by Mr. Cumm and seconded by Mr. O'Connor to adjourn. Motion carried unanimously.

Respectfully Submitted,

Carol A. Alden, Confidential Secretary