

## WATER AUTHORITY MEETING

**October 10, 2007 – 2:00 p.m.**

PRESENT: Supervisor Jack Lawler, Chairman; Supervisors Ray Callanan, Greg Connors, Anita Daly, Art Johnson, SCWA; Charles Wait, SCWA; Kevin King, SCWA; Wes Carr, Project Coordinator; Bill Simcoe, SCWA Executive Director; Craig Crist, Mark Schachner, Leah Everhart, Special Council; Ed Vopelak, C.T. Male; Dan Loewenstein, Malcolm Pirnie, Inc.; Rick McCarthy, Environmental Capital; Mark Rider, County Attorney; Press

Chairman Lawler called the meeting to order.

Mr. Wait moved to approve the minutes of the September 7<sup>th</sup> meeting. Mr. Connors seconded. Mr. King pointed out that he abstained on the resolution Adopting the Determination & Findings, but he concurred with the determination & findings for the acquisition by eminent domain of property .and concurred that the proposed Countywide water system has a clear public use and benefit and is justified. The minutes were approved unanimously, as amended.

Mr. King gave a financial report. He stated as of September 30<sup>th</sup>, there was \$2.2 million in the bank. He said he has a listing of the invoices that Mr. Simcoe has prepared. Copies of the list were distributed to the Authority members. Chairman Lawler said there is \$1,879,000 in invoices on hand including the \$250,000 that we agreed to pay the NYS Office of Parks as mitigation for work at Moreau and Saratoga Parks. He said he would like to consider a resolution to approve payment of these contingent upon Mr. King's and the attorney's review of vouchers and supporting documentation. Mr. King said they should also have the Executive Director's approval also. Mr. King said he was also given the authority of up to \$5,000. On the ones we could process and proceed with, we have, he said. He asked who had the contract with Environmental Capital. Chairman Lawler said he believes the County has that contract. We can ask the County to assign that contract to the Water Authority. Mr. Rider said that is one of the contracts we agreed we would assign. We will just sign it over to the County, he said.

**Mr. Connors moved to authorize that the vouchers, as presented, be paid, subject to audit and approval of the Treasurer. Mr. Wait seconded. Unanimous.**

Mr. Loewenstein reported that the treatment plant is about 7% complete. For the raw water pump station, the excavation has begun. About half of the raw water transmission main is complete from the plant down toward the raw water pump station. At the treatment plant site, you would see started the sludge dewatering lagoons. Concrete has been poured for the contact tank that is part of the membrane building. Conduit has been put in for controls in the administration building. On the transmission main, starting north and moving south, Contract 3 is the most advanced with about 20,000 feet in the ground. Not much work has proceeded on Contract 4. Contracts 5 and 7 are the same contractor. Some clearing has been done and borings have commenced. Contract 6 is the piece through the Saratoga State Park, and that is about 75% complete. The guys will continue to focus on the membrane building and the sludge lagoons, he stated. Chairman Lawler asked if we were reasonably on schedule. Mr. Loewenstein said pretty much on schedule. Mr. Connors said the report was perfect, but he requested it be put in writing so that the members could have a permanent report. Chairman Lawler requested Mr. Loewenstein to have a written report for the next meeting.

Mr. Vopelak said they are working with the field people. We have resolved all of the issues that have come up, he added.

Chairman Lawler said we have some issues with the different benefits we want Bill Simcoe to have. He said we have an ad in the paper now for an Administrative Assistant. We will be doing hiring and benefit planning, he said. He said it would make sense to have a subcommittee that would function as a Personnel Committee so that Bill would have a place to go to deal with issues, and there would be committee resources to do what needs to be done to get projects going. He appointed Mr. Connors to chair that committee along with Mr. Callanan and Mr. Johnson.

Chairman Lawler said a resolution is needed to amend the agreement with the Luther Forest Technology Campus as part of the conditions for the bonding. He said it is performa, and LFTC has already agreed to it. Mr. Crist said it's a minor amendment to the existing Luther Forest contract. One is to change the entity to whom we are contracting and the other is an addendum that precludes the resale by LFTC outside of the Park. Chairman Lawler stated the bondholders want to make sure that we wouldn't be in competition with Luther Forest Technology selling water outside of the

Park. **Mr. Connors moved to authorize the execution of an amended agreement with the Luther Forest Technology Campus Economic Development Corp. Mr. Johnson seconded. AYES – Lawler, Callanan, Johnson, Connors, King. ABSTAIN – Wait. ABSENT – Daly. Motion carried.** Mr. Wait said he is abstaining on the basis of other business relationships.

Mr. Crist said Mr. Connors and he have been assessing the insurance needs of the Authority. We decided to have the Authority purchase the Builders Risk Insurance itself and get a change order credit from the contractors, he said. For \$1 million worth of coverage and a \$5,000 deductible, it amounts to \$3,668, he stated. He said there will be other things coming in the future, but we do not have those proposals as yet. Mr. Connors said obviously the insurance rates, premiums, coverages, etc. will change throughout the duration of the project, so it won't be uncommon for us to be coming back from time to time to extend the protection of our exposure or adjust the premiums. **Mr. Callanan moved to authorize the purchase of Builders Risk Insurance. Mr. King seconded. AYES - Lawler, Callanan, Johnson, Connors, King. ABSTAIN – Wait. ABSENT – Daly. Motion carried.** Mr. Simcoe stated this would be allocated against the Capital project, as it is a construction and not an operating expense.

Chairman Lawler said there are four miscellaneous DEC permits that have been issued to the County, and as part of our grant application and reimbursement, they need to be transferred to the Authority. **Mr. Connors moved to accept that transfer. Mr. Johnson seconded. Unanimous.** Mr. Wait requested copies of those, and Mr. Crist said he would get the Authority members the copies.

Mr. Callanan said last month, we talked about a vehicle for Bill. He stated for a Jeep Liberty, it would cost \$19,800. He said the issue is going out to bid or ordering off State contract. If we order off State contract, it will take 6 to 8 months, he stated. **Mr. Callanan moved to authorize going out to bid for the purchase of a 2007 Jeep Liberty or its equivalent. Mr. King seconded. Unanimous.**

Mr. King said Bill is going to be going on the County insurance November 1<sup>st</sup>, and we want to make sure this is a pre-tax deduction for him. He said he contacted an employee benefit consultant, and he drafted up a simplified premium only cafeteria plan. He said the documents are here in front of us,

and we will need to adopt a resolution to give us the ability through our payroll provider to make sure that is pre-tax. **Mr. King moved to approve the Cafeteria Plan effective November 1, 2007. Mr. Connors seconded. Unanimous.**

**Mr. Connors moved to adjourn to executive session to discuss litigation. Mr. Johnson seconded. Unanimous.**

The meeting returned to open session.

**Mr. Connors moved to instruct the Authority attorney to prepare the necessary documentation to transfer the Army Corps of Engineers' permit to the Saratoga County Water Authority. Mr. Johnson seconded. Unanimous.**

Chairman Lawler scheduled the next meeting for **Tuesday, October 23<sup>rd</sup> at 3:30 p.m.**

On a motion by Mr. Connors, seconded by Mr. Johnson, the meeting was adjourned.

Respectfully submitted,

Elaine M. Sodemann