



# SARATOGA COUNTY WATER AUTHORITY

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

**PRESENT:** Chairman John Lawler, Vice Chairman Timothy Szczepaniak, Treasurer Philip Barrett (arrived at 3:46 p.m. due to previous commitment), Deputy Treasurer Theodore Kusnierz, Jr. (arrived at 3:50 p.m. due to previous commitment), Supervisor Darren O'Connor, Mr. Art Johnson, Mr. Robert Wilcox, Esq. Also, Executive Director Ed Hernandez and Doug Heller, LA Group and Justin Sitler, Project Manager of Mulberry Estates. Also present by phone, General Counsel Mark Schachner, Esq.  
**ABSENT:** None

At this time, Chairman Lawler requested the Mr. Hernandez introduce the representative from the LA Group. Mr. Hernandez introduced Doug Heller of the LA Group as well as Mr. Justin Sitler, Project Manager of Mulberry Estates in Wilton.

Mr. Heller presented a map of the subdivision and pointed out where the proposed road would be in relation to the SCWA's easement. As currently planned, the road would extend approximately 1,000 feet on top of the SCWA pipeline. Mr. Hernandez expressed his concerns with heavy construction equipment driving on top of the pipeline as well as keeping the required separation between water and sewer pipes. A question was raised regarding the language of the easement with relation to repairs should it be necessary to remove a section of the road after completion. Mr. Schachner read the relevant language regarding repairs and expressed that repairs would be the developers cost and not the Authority's. Mr. Wilcox stated that he had concerns about repair costs as the language in the easement stood. There was continued discussion regarding cost responsibility in the event of a repair to the pipeline. Mr. Schachner also disclosed that he had had a prior conversation about this project with the Town Engineer for Wilton as he also represents the Town of Wilton. Chairman Lawler polled the Board on their comfort with the current plan as presented or would they consider an alternate plan. Discussion ensued between Mr. Hernandez and Mr. Heller regarding alternate plans. Mr. Heller was amenable to presenting a revised plan at the next Board meeting. Chairman Lawler stated that the Authority always supports new development in Saratoga County and seeks to find ways to provide water to its residents and balance the needs of the business community. At this time, Chairman Lawler thanked Mr. Heller and Mr. Sitler for their presentation was looking forward to them returning with a more acceptable plan.

Chairman Lawler inquired if there were any changes, additions or deletions to the February 25, 2020 meeting minutes. **On a motion by Mr. Szczepaniak and a second by Mr. Barrett the minutes of the February 25, 2021 meeting were adopted. Unanimous. (2021-0061)**

**Reports:**

**Operations:** Mr. Hernandez reported water flows for February 2021 were 6.29 mgd and a rolling annual average of 7.21 mgd.

**Financials:** Mr. Hernandez read the Administrative Summary as of February 28, 2021. Budgeted water revenues through February 28, 2021 were \$1.06 mil and actual revenues were \$1.05 mil. Budgeted expenses through February 28, 2021 were \$345k and actual expenses were \$281k. The next debt service payment is due May 1<sup>st</sup>, 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 \$1.17 mil.

**Capital Projects:** Mr. Hernandez reported that the Plant Expansion Project was moving along at a somewhat better pace. He also reported that the City of Mechanicville interconnection was completed, and they were beginning to take water. He would be presenting a Bond Resolution at the next meeting for the Second Water Tank Project at Luther Forest. He also reported that the Distribution Expansion Study was ongoing.

**Legal:** Mr. Schachner reported that the Water Agreements with Wilton Water & Sewer and Clifton Park Water Authority were finalized, and he expected to have them ready for signature at the next meeting. He had nothing new to report on the property acquisition in Luther Forest at this time.

**Motions & Resolutions:**

**Motion was made by Supervisor Barrett and seconded by Mr. Szczepaniak to authorize the payment of the monthly vouchers at a cost of \$138,255.84 in operating costs, \$400,024.40 in Plant Expansion Project costs, \$2,035.00 in Distribution Expansion costs and \$5,490.00 in Tank Project Costs. Treasurer Barrett had reviewed all vouchers and was in favor of paying all presented. Motion carried unanimously. (2021-0062)**

**The next item was a motion to adopt the 2020 Performance Measurement Report and authorize posting to PARIS as recommended by the Governance Committee. On a motion by Mr. Johnson and a second by Supervisor O'Connor the motion carried. Unanimous. (2021-0063)**

The next matter was a **motion to adopt the 2020 Audited Financial Statements as recommended by the Audit Committee. Motion was made by Mr. Wilcox and seconded by Supervisor Kusnierz. Unanimous. (2021-0064)**

Mr. Hernandez then presented a letter from General Control Systems explaining the rate increase for Prevailing Wage Work. Mr. Hernandez discussed the services they provide, the history with this company and the difficulties the Authority has had in retaining trained employees in this area of expertise. **He offered to send our RFPs when their next price increase was presented. On a motion by Mr. Szczepaniak and a second by Mr. Wilcox the motion carried. Unanimous. (2021-0065)**

The final matter before the Board was a motion to approve the Water Agreements with Wilton Water & Sewer Authority and Clifton Park Water Authority. Supervisor O'Connor stated that as long as the recommended language from Counsel was included in the Agreements, he had no further objections to proceed. Supervisor Barrett also stated that based upon the Amendments to the original Agreements, he supported the Agreements and was amenable to authorizing the Chairman to execute the Agreements. **Chairman Lawler polled the remaining Board members for any further comments on the Agreements and Amendments. With no further discussion, a Motion was made by Mr. Szczepaniak and seconded by Supervisor Barrett to authorize the 2021 Water Sale Agreements and Amendments in a form acceptable to counsel and to authorize the Chairman to execute same. Motion carried unanimously. (2021-0066)**

Chairman Lawler stated the next Board meeting was proposed for April 29, 2021 at 3:30 p.m.

Chairman Lawler requested that the Board consider the possibility of another Bond Refunding for the 2014 Bonds due to interest rates. He stated he would like to reach out to the Authority's Financial Advisor for a recommendation.

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

**Respectfully Submitted,**

**Carol A. Alden  
Confidential Secretary**