



SARATOGA COUNTY WATER AUTHORITY

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ED HERNANDEZ, P.E., EXECUTIVE DIRECTOR

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SARATOGA COUNTY WATER AUTHORITY BOARD OF DIRECTORS APPROVED MEETING MINUTES THURSDAY, SEPTEMBER 2, 2021 @ 3:30 P.M.

PRESENT: Chairman John Lawler, Deputy Treasurer Todd Kusnierz, Supervisor Darren O'Connor, Robert Wilcox, Art Johnson, Executive Director Ed Hernandez, and General Counsel Leah Everhart.
ABSENT: Vice Chair Tim Szczepaniak and Treasurer Phil Barrett.

Chairman Lawler inquired if there were any changes, additions or deletions to the August 3, 2021 meeting minutes. **On a motion by Mr. Johnson and a second by Supervisor O'Connor the minutes of the August 3, 2021 meeting were adopted. Unanimous. (2021-0093)**

Reports:

Operations: Mr. Hernandez reported water consumption for July 2021 was 7.98 mgd and a rolling annual average was 7.16 mgd.

Financials: Mr. Hernandez read the Administrative Summary as of July 31, 2021. Budgeted water revenues through July 31, 2021 were \$3.7 mil and actual revenues were \$4.3 mil. Budgeted expenses through July 31, 2021 were \$1.23 mil and actual expenses were \$1.22 million. The next debt service payment is due September 1st, 2021 for \$1.5 mil. Cash available for operations after debt service was estimated at \$1 million.

Capital Projects: Mr. Hernandez reported that the Lagoon Project was moving along very quickly. The property had been cleared and Jersen Construction was doing very well. The Plant Expansion is still moving along very slowly.

Legal: Ms. Everhart discussed another requested change to the water contract with CPWA by their counsel. The language in the Force Majeure section was still not satisfactory to them and the language was outlined in the memo from Ms. Everhart this month. Ms. Everhart inquired if the Board was amendable to the latest request. Discussion ensued regarding this change and counsel's recommendation. Chairman Lawler indicated he had no objections and polled the board members present for their comments. Remaining board members stated they had no objections and counsel stated she would present

this to Clifton Park Water Authority's counsel. Ms. Everhart also stated she had the Wilton Water and Sewer Authority contracts available for the Chairman's signature.

Motions & Resolutions:

Motion was made by Supervisor Kusnierz and seconded by Mr. Johnson to authorize the payment of the monthly vouchers at a cost of \$749,879.90, which included \$169,635.55 in operating expenses, \$555,041.01 in Plant Expansion Project costs, \$85.00 in Distribution Study costs and \$25,118.34 in Halfmoon Project Issuance Costs. Treasurer Barrett had reviewed all vouchers and was in favor of paying all presented. Motion carried unanimously. (2021-0094)

The next item was a motion to Readopt the SCWA Procurement Policy as recommended by the Audit Committee. On a motion by Supervisor Kusnierz and a second by Mr. Johnson the motion carried. Unanimous. (2021-0095)

The next item was a motion to Authorize Transfers to the 2021 Operating Budget as follows:

Transfer \$5,000 from Lab Supplies to Pipeline Equipment.

Transfer \$2,000 from Plant Equipment Maintenance to Leases & Rentals.

On a motion by Supervisor O'Connor and a second by Mr. Johnson the motion carried. Unanimous. (2021-0096)

The next item was a motion to Adopt the 2022 Operating Budget as recommended by the Finance Committee. Chairman Lawler stated the Committee agreed with Mr. Hernandez's recommendation to not increase water rates to customers for the second year in a row. He also indicated that this year he wanted to delay the repayment to the County until year end if possible. On a motion by Mr. Wilcox and a second by Supervisor O'Connor 2022 Operating Budget was adopted. Unanimous. (2021-0097)

At this time, Chairman Lawler discussed that he had further conversations with the Authority's FA, Rick McCarthy of Capital Advisors. He indicated that he had authorized Rick to send out an RFP for Underwriting Services related to a potential refunding of certain 2014 and 2016 Bonds. He indicated he would present the results of the RFP with the Board at next month's meeting. He also discussed the impending discussions with Global Foundries regarding the renewal of their water contract.

From earlier in the meeting, a motion was made by Supervisor Kusnierz and seconded by Supervisor O'Connor Authorizing the Contract with Wilton Water and Sewer Authority in its current form and Authorizing the Chairman to Execute same. Unanimous. (2021-0098)

Chairman Lawler instructed General Counsel to please send a copy of the current contract with Global Foundries to all Board members before the next meeting and instructed Mr. Hernandez to send a copy of the letter to Global from 2014 which confirmed water supply to them in the event of 8.2 being built.

At this time, Mr. Hernandez then discussed the potential properties prepared by EDP for purchase for the proposed pump station in the Distribution System. He inquired about a small parcel contained in a town park in Malta. Supervisor O'Connor stated he would inquire at his next Town Board meeting to get feedback from Malta Board members and would report back at the next SCWA meeting.

New Business:

Chairman Lawler stated the next Board meeting was proposed for September 30, 2021 at 3:30 p.m. The Audit Committee will meet in advance of that meeting at 3:15 p.m. for annual housekeeping matters. Members of that committee are Johnson, O'Connor and Wilcox.

The final matter of the meeting was a request from the City of Mechanicville to reduce their contractual water supply minimum from 150,000 gpd to 50,000 gpd. Discussion ensued by the Board as to how other municipal customers would perceive this. Mr. Hernandez discussed that with such a low flow it would potentially affect chlorine residuals. Chairman Lawler polled the Board for the response. He stated he would discuss the matter with the Supervisor from Mechanicville and relay the Boards response.

At 4:40 p.m., with no further business, a motion was made by Mr. Johnson and seconded by Mr. Wilcox to adjourn. Motion carried unanimously.

Respectfully Submitted,

Carol A. Alden, Confidential Secretary