



SARATOGA COUNTY WATER AUTHORITY

TIMOTHY SZCZEPANIAK, CHAIRMAN
ED HERNANDEZ, P.E., EXECUTIVE DIRECTOR

260 BUTLER ROAD, GANSEVOORT, NY 12831
TELEPHONE: (518) 761-2058
FACSIMILE: (518) 792-4942
www.saratogacountywaterauthority.com

PHILIP C. BARRETT
MARK E. HAMMOND
ARTHUR J. JOHNSON
THEODORE T. KUSNIERZ, JR.
JOHN E. LAWLER
ROBERT D. WILCOX

SARATOGA COUNTY WATER AUTHORITY BOARD OF DIRECTORS ADOPTED MEETING MINUTES WEDNESDAY, SEPTEMBER 28, 2022 @ 3:30 P.M.

PRESENT: Chairman Tim Szczepaniak, Vice Chairman Robert Wilcox, Treasurer Philip Barrett, Deputy Treasurer Theodore Kusnierz, Supervisor Mark Hammond, Mr. Art Johnson, Supervisor Jack Lawler. Also, Executive Director Ed Hernandez and General Counsel Leah Everhart, Esq.

Chairman Szczepaniak opened the meeting and welcomed all in attendance.

Chairman Szczepaniak inquired if there were any changes, additions or deletions to the August 24, 2022, meeting minutes. **On a motion by Supervisor Kusnierz and a second by Supervisor Hammond the minutes of the August 24, 2022, meeting was adopted. All in favor except for Mr. Wilcox who abstained. (2022-0043)**

Chairman Szczepaniak inquired if there were any changes, additions or deletions to the August 24, 2022, Finance Committee meeting minutes. **On a motion by Supervisor Hammond and a second by Mr. Johnson the minutes of the August 24, 2022, meeting was adopted. All in favor except for Mr. Wilcox who abstained. (2022-0044)**

Reports:

Operations:

Mr. Hernandez reported water flows for August were 9.66 mgd. The rolling annual average was 7.54 mgd.

Financials:

Mr. Hernandez reviewed the Administrative Summary as of August 31, 2022. Budgeted water revenues through August 31, 2022, were \$4.93 mil. Actual revenues through August 31, 2022, were \$5.35 mil. Budgeted expenses through August 31, 2022, were \$1.63 mil and actual expenses were \$1.76 mil which Mr. Hernandez said was due to utility costs. The next Debt Service payment is due October 1st, 2022, for \$46,230 to EFC for the 2020B Bond. Cash available for operations after that payment was estimated at \$1.42 mil. Supervisor Lawler inquire about the amounts in the Reserve Accounts. Mr. Hernandez directed

him to Page 7 where all cash account balances were listed. Chairman Szczepaniak requested that the cash accounts list be combined on the Administrative Summary page.

Capital Projects:

Mr. Hernandez reported that the Plant Expansion project was wrapping up. There are two other projects upcoming. The first being the second tank at Cordero Drive to serve Global Foundries and customers south of there. The second project is the Booster Pump Station which we are still attempting to locate a site for. He indicated the next step would be to hire a broker to approach the property owners that were selected by Supervisor Barrett and Mr. Hernandez as suitable locations. **Supervisor Hammond offered a motion to hire Joel Koval of Howard Hanna in Clifton Park at a commission rate of 3.5%. Mr. Wilcox seconded that motion.** Supervisor Lawler inquired if there needs to be a formal RFP. He requested that Ms. Everhart review the SCWA Procurement Policy to ensure that this falls under the Professional Services umbrella and that no RFP is required. **Mr. Hammond amended the motion to hire Mr. Koval subject to attorney review of the Procurement Policy. Mr. Wilcox seconded that motion. Motion carried unanimously. (2022-0045)**

Legal:

Ms. Everhart distributed the monthly legal memo. The first matter was already discussed regarding land acquisition for the Booster Pump station. She indicated that the second matter should be discussed in Executive Session under attorney/client privilege due to potential litigation. Chairman Szczepaniak stated they would do that at the end of the meeting.

Motions & Resolutions:

Motion was made by Supervisor Barrett and seconded by Mr. Johnson to authorize the payment of the monthly vouchers at a cost of \$222,531.12 in operating costs and \$46,229.63 in Debt Service Costs. Supervisor Barrett had no comments on any payments this month. **Motion carried unanimously. (2022-0046)**

The next agenda item is to set the date for a Public Hearing to set water rates for 2023. Discussion ensued and the meeting was set for Wednesday, December 14th, 2022 at 3:30 p.m. **Motion was made by Supervisor Kusnierz and seconded by Mr. Johnson to set the date for the Public Hearing notice for Wednesday, December 14, 2022 at 3:30 p.m. Motion carried unanimously. (2022-0047)**

Chairman Szczepaniak then discussed that an Audit Committee meeting was held prior to this meeting. He indicated that **a motion was needed to readopt the SCWA Internal Control Policy with no changes. Motion was made by Mr. Wilcox and seconded by Supervisor Hammond. Motion carried unanimously. (2022-0048)**

The next matter from the Audit Committee was a recommendation for the Board to **accept the Memorandum of Understanding with Cusack & Company for Audit Services for FY's 2022 and**

2023 at a cost of \$10,800 and \$11,000 respectively. Motion was made by Mr. Johnson and seconded by Supervisor Lawler. Motion carried unanimously. (2022-0049)

The next matter for discussion was to renew a contract with Stored Technology Solutions for Professional IT Services at a cost of \$850 per 10-hour prepaid block. Mr. Hernandez discussed that the Authority has used this company for about 5 years now and we are pleased with the work performed thus far. He was requesting that the Board approve a new contract currently. **Motion was made by Supervisor Lawler and seconded by Supervisor Hammond to approve a new contract with Stored Technology Solutions. Motion carried unanimously. (2022-0050)**

Old Business:

Mr. Hernandez stated that the Pump Station matter had already been discussed.

New Business:

Chairman Szczepaniak stated the next Board meeting was scheduled for October 26, 2022, at 3:30 p.m. in Ballston Spa.

At 3:50 p.m. motion to adjourn to Executive Session was made by Supervisor Hammond and seconded by Mr. Johnson for attorney/client privileged discussions relating to potential litigation. Motion carried unanimously. (2022-0051)

At 4:04 p.m. motion was made by Mr. Johnson and seconded by Supervisor Barrett to return to open session. Motion carried unanimously. (2022-0052)

With no action taken because of Executive Session, the meeting was adjourned at 4:05 p.m. by Supervisor Hammond with a second by Supervisor Kusnierz. Motion carried and meeting was adjourned. (2022-0053)

Respectfully submitted,

Carol A. Alden, Confidential Secretary