



SARATOGA COUNTY WATER AUTHORITY

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SARATOGA COUNTY WATER AUTHORITY BOARD OF DIRECTORS OFFICIAL MEETING MINUTES THURSDAY, SEPTEMBER 27, 2012; 2:45 PM

PRESENT: Chairman John E. Lawler, Supervisor Arthur Johnson, Treasurer Kevin King, Gregg Connors (arrived at 2:55 p.m. due to attending another commitment), Marybeth Hynes, SCWA Board Members; Craig Crist, SCWA Special Counsel; John Dowd, SCWA Special Counsel; Ed Hernandez, Acting Executive Director; Tom Wood, Chairman Saratoga County Board of Supervisors; Don Coalts, Chief Plant Operator, Ed Huneau, Distribution Supervisor, Press. ABSENT: SCWA Board Member Charles Wait and Anita Daly.

Chairman Lawler called the regular meeting to order at 2:45 p.m. and welcomed all in attendance.

A motion was made by Art Johnson and seconded by Marybeth Hynes to adopt the draft minutes of the August 23, 2012 regular meeting, as the official minutes of that meeting. Motion to accept the draft minutes were passed unanimously.

A motion was made by Jack Lawler and seconded by Art Johnson of the Finance Committee to adopt the minutes of the August 20, 2012 Finance Committee meeting. Motion to accept the draft minutes was passed unanimously.

A motion was made by Arthur Johnson and seconded by Marybeth Hynes of the Board of Directors to adopt the minutes of the Finance Committee meeting of August 20, 2012 as the official minutes of that meeting. Motion to accept the draft minutes were passed unanimously.

(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.)

Next item was a Presentation by the New York Light Energy Corporation. The representative of that company was absent. No presentation was given.

Production: Ed Hernandez, Acting Director, discussed the changes to the monthly sales graphs for more accurate average flows for customers. He indicated how the new information reflected the twelve month average flow for each customer. He then reflected how the chart showed the changes over a twelve month period. He indicated that the Authority is selling twice as much water as this time last year. Mr. Lawler reflected that at the current rate we would be at breakeven point. Mr. Connors inquired if this would be a consistent pattern. Mr. Hernandez indicated that with the oncoming fall that water irrigation demands would decline. Mr. Hernandez then reported on the disinfection byproducts test results for the 3rd quarter.

The TTHMs results ranged from 30 to 115. When compared to one year ago, the rolling average for all quarters dropped significantly to 45. He indicated next year we would need to go to a locational 12 month rolling average. He next discussed Haloacetic acids. The running annual average last year at this time was 70, which was above the limit. Our current annual rolling average is 26. Mr. Lawler inquired what the limit is and Mr. Hernandez replied 60. Mr. Connors inquired if the Health Department selected the locations for site sampling next year and Mr. Hernandez replied that the sites were the same ones currently used. Ms. Hynes commented that it was very good news regarding the DBP's. She indicated that the Town of Ballston was now having issues with taste and odor problems. She indicated the Town of Ballston thanked Mr. Hernandez for agreeing to come to the next Town of Ballston meeting to address the taste and odor issues. He indicated that the taste and odor issues are due to water quality issues in the river, He indicated that the Town of Queensbury was also experiencing similar issues. He discussed the use of powder activated carbon to address the issue Mr. Connors inquired if the hydrant flushing added to the issue. Mr. Hernandez indicated it did not. He indicated that it was more of a treatment process. Mr. Hernandez then introduced the Chief Operator and the Distribution Supervisor to assist the Board in any further discussions regarding water quality issues. Ms. Hynes then indicated that she was requesting that communications continue on a regular basis regarding any changes at the plant to aid our customers in having information for their customers.

Financial: Mr. Hernandez discussed the financial reports through August 31, 2012. Through August 31, 2012 actual expenses were \$1.1 million, with budgeted expenses at \$1.7 million. He indicated expenses are under budget by \$600,000. Revenues were budgeted at \$2.6 million, but were actually at \$1.5 million. The net income exclusive of the bond payment was \$461,600. Mr. Hernandez indicated that the Service Fee payment of \$550,000 for 2013 would be required in February to make the next bond interest payment. Mr. Hernandez discussed the account balances.

Mr. Lawler noted that the trend was positive for the Authority.

The first motion was to authorize the payment of the vouchers for the month at a total cost of \$108,078.90 as reviewed and approved by Kevin King, Treasurer. **Mr. Connors moved to authorize that vouchers, as presented and audited for payment by the Treasurer, be approved for payment. The motion was seconded by Ms. Hynes and passed unanimously.**

At this time **Mr. Johnson made a motion to adopt the Budget for 2013 and approved the submission of the budget to PARIS for reporting purposes. Motion was seconded by Mr. Connors. Motion passed unanimously.**

The next item was a Resolution to amend the Personnel Policy Manual for the Health and Dental eligibility for new employees. Mr. King discussed that he had spoken with the Director of Personnel at Saratoga County who administers the benefit program and he indicated that the effective date of coverage could be the first day of employment as opposed to the County employees. Mr. Hernandez indicated that the change needed to also be for dental as opposed to twelve months currently indicated. Mr. Lawler asked if any members would like to comment. Mr. Connors indicated that the discussion centered upon either the 60 day wait period or immediate. Mr. King indicated that since there was no collective bargaining unit for the

Authority employees that we could do date of hire. Mr. Lawler inquired of the Personnel Committee. Ms. Hynes stated that she had no preference but reflected about a new employee that did not work out. What would the effect be to the Authority for COBRA costs? Mr. Lawler indicated that it may be a disincentive for a quality candidate for new hire. Mr. Hernandez added that from an administrative standpoint it would be more beneficial to be 60 days. Mr. Lawler expressed concerns about existing staff. Mr. Connors stated that with the small number of employees at the Authority he did not see it as a large administrative burden. **A motion was made by Mr. Connors to make the health and dental benefits effective on the date of hire. Mr. King seconded the motion. Motion passed unanimously.**

The next Resolution was to **amend the Personnel Policy as to Uniform and Employee Availability in inclement weather and emergency situations.** Mr. Hernandez then discussed the NYS Labor Department requirements regarding carrying cell phones for emergencies and for the difference between on call and subject to call status. He also indicated the changes to the Uniform Policy regarding limits on replacements and return of any logo uniform items. **Motion was made by Mr. Connors. Ms. Hynes seconded the motion. Resolution was adopted unanimously.**

The next item was a Resolution to Ratify the appointment of Frank Thompson to laborer. Mr. Lawler offered this motion. The motion was seconded by Mr. Connors. Motion passed.

Ayes – 4, Connors, Hynes, Johnson, Lawler

Nays – 1, King

Abstain – 0

The next matter was to **approve a Professional Services contract with Tech II Business Services for IT support.** Mr. Hernandez indicated that a new server was installed at the facility and this company was the low bidder on that installation and now we required someone to support the computer services required. Mr. Connor inquired if it was a one year contract. Mr. King indicated that it would be a good idea to make the contract extend to the end of 2013 with the option of an additional one year renewal. Mr. King then indicated that he recalled that Governance Committee had a goal of getting a server installed and IT services in place. **Motion to approve was made by Ms. Hynes and was seconded by Mr. Johnson. Motion passed unanimously.**

Mr. Hernandez then discussed the award of the Water System Maintenance Bid. He discussed the overhead rates of the proposals and recommended that the contract be awarded to three companies: R. & J. Kerr, Tom Kubricky Company and Wm. J. Keller and Sons Construction. He indicated that when they are required for non-emergency work a quote would still be required for routine maintenance work. Mr. Connors inquired how many times over the last two years this type of work was required. Mr. Hernandez responded it was two times. He discussed the two instances and some additional non-emergency work. Mr. Connors inquired if the non-emergency work could be done by our staff and Mr. Hernandez indicated that most non-emergency work was being done by the staff but these would be for instances where specialized equipment would be required. Mr. Connors indicated that these contracts should be extended through the end of 2013 as well. **Mr. Connors made the motion to amend the contracts for Water System Maintenance to end at December 31, 2013 and to approve the three contracts for Water**

System Maintenance with R. & J. Kerr, Inc., Wm. J. Keller and Sons Construction Corp., and Tom Kubricky Company, Inc. Motion was seconded by Mr. Johnson. Motion passed unanimously.

The final item on the agenda was to approve the BOCES continuing education course of AC Theory for Electricians for employee Paul Perini at a cost of \$665. Mr. King discussed that the employee should provide a Certificate of Completion upon completion of the classes. Mr. Connors inquired if this course would require him to do work outside his job classification. Mr. Hernandez indicated that he would not be required to do work outside his job class. **Mr. Connors made the motion to approve the BOCES continuing education class AC Theory for Electricians for Paul Perini. Motion was seconded by Mr. Johnson.**

Mr. Hernandez then indicated that he had one additional item for the agenda and that was to request a motion from a board member to accept and ratify the Authorities Budget Office official response to the Audit Report. **Ms. Hynes made the motion to adopt and ratify the official response to the ABO audit. The motion was seconded by Mr. Connors. Motion passed unanimously.**

The next meeting of the SCWA Board of Directors was scheduled for Thursday, October 25th, 2012 at 2:45 p.m.

The Audit Committee scheduled their next meeting for Thursday, October 25th, 2012 at 2:30 p.m. Members of the committee are Mr. Johnson, Mr. Lawler, and Mr. Wait.

At this time, Special Counsel Craig Crist discussed the committees that met. He indicated that at the last meeting the Finance Committee gave its update that the tentative budget was reviewed and accepted by the Committee for presentation at the previous Board meeting. He then indicated that prior to today's meeting the Governance Committee met and reviewed the suggestion by Mr. King that standard operating procedures be formulated and documented by the administration relative to day to day operations. The Committee also commended the Executive Director and Confidential Secretary on the preparation of materials in advance of Board meetings, which was a goal of the Governance Committee. The Committee feels that this goal has been obtained. At this meeting the Governance Committee also reviewed its governing charter and the following policies: Code of Ethics, Whistleblower Protection, Equal Opportunity and Affirmative Action, and Disposition of Real and Personal Property. At that meeting no changes would be recommended to the full Board at its next meeting and that the policies be readopted by the full Board. The Committee also discussed possible future educational requirements of Board members and possible additions to future boards as far as outside experts.

Ms. Hynes then indicated that she would like to schedule the November meeting for November 29th at 2:45 p.m. due to holiday commitments. Mr. Hernandez indicated that the Personnel Committee would also meet that day at 2:00 p.m. Members include: Hynes, Connors and Lawler.

At that time, **motion was made by Mr. Connors to adjourn to Executive Session to discuss Attorney Client matters relating to Pall Corporation and Clifton Park Water Authority. Motion was seconded by Mr. King. The Board resolved to go into Executive session at 3:45 p.m.**

At 4:40 p.m. the Board returned to open session.

At this time a motion was made by Ms. Hynes and seconded by Mr. Johnson to adjourn the meeting. The Board adjourned the meeting at 4:42 p.m.