

Northern Westchester Joint Water Works

Minutes of the NWJWW Board of Trustees Meeting – January 6, 2023

Convened at 10:15 A.M.

Adjourned at 11:14 A.M.

Present:

Richard Becker, Trustee	Matthew Geho, Operations Director
Thomas Diana, Trustee	Catherine Paget, Business Director
Jeffrey Scott, Trustee	Donna Albanese, Recording Sec’y
Robert Scorrano, Trustee	Michael Cunningham, Attorney

Organizational Business:

Chairperson Becker called the meeting to order at 10:15 A.M.

A moment of silence in recognition of the recent passing of Raymond Reber, his 51 years of dedicated service as Commissioner of the Montrose Improvement District along with his integral involvement in the creation of the Joint Water Works.

Trustee Becker spoke very highly about Mr. Reber and he is grateful that we dedicated the Pump House building in Mr. Reber’s name. Mr. Geho mentioned that we should do something in the spring for this family regarding the building dedication. Trustee Scott mentioned that we lost a giant in Mr. Reber.

A motion was made by Trustee Scott to acknowledge the following member Trustees as officers of the NWJWW for the year 2023, following the scheduled rotating succession:

- Montrose Improvement District – Chairperson
- Town of Somers – Vice Chairperson
- Town of Yorktown – Treasurer

The motion was seconded by Trustee Scorrano. Motion approved 4-0. Each Trustee immediately assumes their designated office.

- #2023-02 Adopt the recommended 2023 Trustees meeting schedule (as attached)
- #2023-03 Designate the depository for monies of the NWJWW with J. P. Morgan Chase Bank.
- #2023-04 Designation of media that will represent the NWJWW for all public newspaper notifications is the Journal News, and WHUD and WLNA as the designated radio channels. Public

notification will also occur on the NWJWW website www.nwjww.com

- #2023-05 Maintain the Petty Cash allotment amount of \$200.00 for the year 2023, and appoint Catherine Paget as Petty Cash custodian for the year 2023.
- #2023-06 Appoint Catherine Paget as Records Retention Manager and Safety Committee Coordinator.
- #2023-07 Establish the mileage reimbursement rate at the 2023 IRS designated rate, \$0.655 per mile. If the IRS makes further change to this rate in 2023 this designation will automatically adjust in accordance with that change.
- #2023-08 Authorize the Business Director to make decisions about delayed openings or closing due to weather and road conditions.
- #2023-09 Designate the closure of the Administrative and Billing offices on Friday, May 6, 2023 for the purpose of performing Records Management.
- #2023-10 Establish the member bulk water rate at \$3.95 per thousand gallons as per the 2023 adopted budget.
- #2023-11 Renew the 2022 adopted Purchasing and Procurement Policy for 2023.
- #2023-12 Renew the 2022 adopted Investment Policy for 2023.
- #2023-13 Reaffirm the 2022 adopted NWJWW policy for billings to and payments from members for 2023.
- #2023-14 Authorize the Business Director to award formal public bids budgeted for and authorized by the Board of Trustees in the operating budget, not to exceed \$25,000 or exceed a period of one year, without vote of the Board of Trustees, subject to prior review by the NWJWW Attorney. This authorization excludes bids for capital projects and items/services not planned for in the budget, and is subject to report to the Board of Trustees at the next formal meeting.
- #2023-15 Authorize the Business Director to execute routine operating contracts budgeted for and authorized by the Board of Trustees in the operating budget, not to exceed \$5,000 and not to exceed a period of one year, without vote of the Board of Trustees and subject to prior review of NWJWW Attorney.
- #2023-16 Authorize the Operations Director to execute routine operating contracts budgeted for and authorized by the Board of Trustees in the operating budget, not to exceed \$20,000 and not to exceed a period of one year, without vote of the Board of Trustees and subject to prior review of NWJWW attorney. This is subject to report to the Board of Trustees at the next formal meeting.

Trustee Scott asked Mrs. Paget is there a reason why there is a different threshold. She stated

that operational contracts have a higher threshold for what they are incurring. #2023-17 Authorize the Business Director to make budget transfers up to \$2,000 between object codes in the functional budgets for Administration, Billing and Distribution, and make transfers not to exceed \$5,000 between function and object codes in the budgets for the Catskill and Amawalk Buildings and Treatment Plant budgets, without vote of the Board of Trustees.

A motion was made by Trustee Becker to adopt the above Organizational Resolutions numbers 2023-02 through 2023-17. Motion was seconded by Trustee Diana. Motion approved 4-0.

- #2023-18 Reimburse the Town of Cortlandt for legal counsel services provided to the NWJWW for the year 2023 at an annual cost of \$13,000.
- #2023-19 Reaffirm that in accordance with the Montrose Improvement District's request, to compensate Patrick Murphy, Water Foreperson, at the rate of \$230.77 weekly to act as the Responsible Operator in Charge for the District. This cost and applicable benefits will be billed back directly to the District.
- #2023-20 Authorize the payment of salaries for all employees in accordance with their current negotiated contract or previously adopted Board resolution.

A motion was made by Trustee Diana to adopt the above Organizational Resolutions numbers 2023-18 through 2023-20. Motion was seconded by Trustee Becker. Motion approved 4-0.

Regular Business:

Request Adoption of the November 18, 2022 minutes

A motion was made by Trustee Scorrano to adopt the November 18, 2022 minutes. Motion was seconded by Trustee Diana. Motion approved 4-0.

Discuss options for remote participation of Trustees for Board meetings

Mrs. Paget mentioned that we can sometimes proceed with a quorum if the commitments of the supervisors need to be met in another way if we have a vote participation. The question would be under what circumstances would we be able to do that now that those provisions that came with the pandemic have expired.

Mr. Cunningham mentioned that in the Town of Cortlandt they passed a local law about the remote situation in emergency circumstances. For example, if someone has covid and they cannot participate in a meeting, we would set up a zoom meeting. They looked up the law enabling legislation from the state and in order to do this no matter what would happen you would need three members physically present. If a fourth member is sick or has an emergency circumstance then the fourth person can participate remotely. If the Board wants to go forward with this, we can draft a proposed resolution but we would have to have a public hearing. Trustee Scorrano asked if the person can vote remotely and Mr. Cunningham said yes, they can but you still have to have an in-person quorum.

Trustee Diana mentioned that the Town of Yorktown has a resolution on that and he will forward it to the Joint Water Works. Trustee Scorrano said that if you are travelling and you

post that you are attending the meeting in an open environment, is that okay? Mr. Geho said that that is applicable but you still have to have your facility open to the public. We have to post it and have a public hearing. Mr. Geho said that we will advertise in the Journal News the public hearing at the next Board Meeting. Trustee Scott asked who is the chairperson for the public hearing? Mr. Cunningham said that Trustee Scott would be. Mr. Cunningham said that if anyone comes and speaks, it can impact the proposed resolution or it could not.

Discuss 2023 Intended Capital Projects Plan, and request adoption of Plan and authorization of specific projects to be bid and/or begin

Mr. Geho mentioned that in 2023 we found that although the pandemic is coming to an end, we still cannot get materials as needed and there are delays. Back in November, Mr. Geho issued an email mentioning that we were going to make an emergency purchase of a high lift motor at Amawalk yet we did not do that. We removed it from the capital plan which was approved in August or September and did decant work at the Amawalk facility. Those monies have been reallocated to replace the high lift motor so we would like to replace the motor, bid it out now and award it at the February Board Meeting. We are looking for a blanket approval of this list and we will start picking away with bids as needed and come back to the Board for approval of said bid.

We are at \$940,000 requested and approved for 2023. From painting the storage tanks at the Amawalk facility to repaving the Catskill driveway and new HVAC components also at the Catskill Plant.

Mr. Geho mentioned that we also want to demolish 78 Locust Avenue which is becoming a liability. Mr. Cunningham said that if we want to raise revenue and put records elsewhere and pay for storage, they are getting a pretty high number per lot. Would it make more business sense to try to sell the lot? Mr. Geho said that lot buffers us from the community in the event that we need to build out. If you look at the way the property is now, right now we have that big plateau which we built when we built the tank which could be used for future treatment.

He mentioned that the capital plan is a breakdown of what we are going to do outside our O and M budgeted work. This is what is paid for by the 20 cents per thousand gallons in the rate. Mrs. Paget mentioned that just for comparison, in the 2023 adopted budget, the capital plan did allot for \$915,000 worth of spending. \$940,000 is more or less in line of what was expected. Mr. Geho said he had to increase the capital spending due to the high lift motor replacement which was originally budgeted at \$35,000. He increased it an additional \$15,000 due to the cost of the motor.

Trustee Becker said that he is not sure what he wants to do with 78 Locust Avenue yet. He said where are we going to get the money to build something else because it will be an expensive process. If the idea is to knock it down and have it that is one thing but to rebuild you are looking at about \$500,000 for storage. Mr. Geho mentioned that we have an issue with our records which are presently being stored at the old DE Plant which eventually has to be torn down too. The roof is leaking and Mr. Geho is trying to consolidate that and at the same time find a place for our work trucks which are parked outside. The way the topography is you can almost have a drive-in basement with a walkout upstairs which would be at the street level. The Board may decide to do something better with the property.

Trustee Diana mentioned that the pre-fab buildings are fairly inexpensive and attractive and you can buffer them with stone fronts.

Trustee Becker mentioned we should table it until Mr. Geho comes up with a plan. Mr. Geho said that nothing has to be done yet but maybe we should move the paramedics in there, yet there are many options. The vision of 74 Locust Avenue was a vision to keep that as a backup site for the Catskill facility. Since we are a 24/7 plant, if there was an emergency and an operator could not get out or get in they can stay there and shower. A few times we have used 74 Locust Avenue in that capacity. Trustee Becker said that the paramedics are happy to have their own facility at 74 Locust Avenue.

A motion was made by Trustee Becker for the intended plan including 78 Locust Avenue. Motion seconded by Trustee Diana. Motion approved 4-0.

Mr. Geho mentioned that at the next Board meeting he will look to award the bid for the new high lift motor at the Amawalk Plant, and new motor starters at the Catskill Plant

A motion was made by Trustee Becker at 10:37 A.M. to enter into Executive Session for an update status on specific personnel. A motion was seconded by Trustee Scorrano. Motion approved 4-0.

A motion was made by Trustee Becker to exit Executive Session at 10:51 A.M. A motion was seconded by Trustee Scorrano. Motion approved 4-0.

Mrs. Paget mentioned that we have 2 employees with whom we are recognizing their medical absences from work. We have Mr. Richard Barton, who was on an excused medical leave from November 7, 2022 and returned to work on December 5, 2022. We also have Mr. Robert Zawacki who was on medical leave from December 5, 2022 and returned to work on January 5, 2023.

A motion was made by Trustee Becker to recognize the medical absences for Mr. Richard Barton from November 7, 2022 returning to work on December 5, 2022 and for Mr. Robert Zawacki who was on medical leave from December 5, 2022 and returned to work on January 5, 2023. A motion was seconded by Trustee Scorrano. Motion approved 4-0.

Attorney's Report

Mr. Cunningham mentioned that we will draft a proposed resolution for our remote participation for future Board meetings. We will have a public hearing and vote on the resolution at the next Board meeting.

Business Director's Report

Mrs. Paget mentioned that we are preparing for year end and wrapping up all final accounts. She will have a financial report for the Board at the February meeting which will be in the middle of the financial audit for both the Joint Water Works and the Montrose Improvement District. We are continuing our work with both the Town of Cortlandt and Yorktown in respect to various projects they have going on affecting water billing. We had a phone meeting with Sensus and the other company in terms of coordination of information and evaluating what needs to be done.

We continue to discuss with Woodard and Curran about redistricting of water meter routes in Cortlandt. This is also being discussed with Mr. Steve Ferreira and Ms. Rosemarie Lasher and we

are working with Mr. Steve Robbins at Woodard and Curran.

We have added policies to the employee handbook for the Joint Water Works in accordance with regulations over time. The last real update that is inclusive of everything and would also update the day to day outline of the Water Works, the organizational chart and work rules has not been done in almost 20 years. Mrs. Paget stated that after speaking with her comptroller peers in other municipalities in Westchester and Putnam County, she mentioned that a few of them used an outsource company run by Ms. Ronnie Travers who has done presentations at NYS GFOA conferences. With the Board's permission, Mrs. Paget would like to reach out to her and perhaps get a proposal as to what we can do to make us have a clean employee handbook. She would bring it back to the Board for consideration. Mrs. Paget feels we should have at least 2 to 3 proposals on this. She does not know what the price range would be. The last printed handbook we have for work days and policies revert back to 8-hour shifts, different titles and evolutions that need to be worked into the handbook. Mrs. Paget mentioned it is a really big project because regulations change. Trustee Becker said that the Town of Cortlandt updated their handbook and Mrs. Paget can look through it as a comparison.

Mrs. Paget said that we do several types of employee training but it is not spelled out anywhere or has anyone ever challenged it. We keep track with certificates after the training is complete. We get the training through our worker's compensation carrier, PERMA. Employees Assistance Program also has employee training.

A motion was made by Trustee Becker for Mrs. Paget to reach out to several vendors who could offer proposals on putting together an updated Joint Water Works handbook. A motion was seconded by Trustee Diana. Motion approve 4-0.

Operations Director's Report

Mr. Geho reported that we are wrapping up 2022 and he will have the 2022 year end 4th quarter report for the Board with all the totals for consumptions. We are steady with total demand. He is working with the Town of Cortlandt regarding the interconnect which is still underway. This is the new connection to the 24 inch off the Croton Avenue. On Tuesday, there will be another attempt at the wet tap to the 24 inch and if all goes well we can have that interconnect online by the Spring.

Mr. Geho said that the fluoride project is still moving slow and steady. We took the fluoride offline about 10 years ago. Trustee Becker said that it is such a controversial subject. He had received a letter from a citizen and researched it. Trustee Diana said they are having a problem with water infiltration into the facility itself. They want to try to remedy it. Trustee Diana asked Mr. Geho to correct him if he is wrong but we cannot go up in the back with a machine because the piping going to the aqueduct or something. Mr. Geho said yes you could probably walk a small machine to the back or come in off Catherine Street. He said you might have an issue with excavating. He thinks that is the best bet and if you can go back there and put in a French drain. Trustee Diana said that gutters would help. They poured the pad there for the front last week and the water just infiltrates and not only is it coming through the walls with the hydraulic pressure but coming in through the floor. We cannot put a drain in there because of the fluoride to let the water drain out. He is having it drawn up for costs. With the water coming off the roof, Trustee Diana is not sure why it was not spec'd to begin with. You have engineers who looked at it and should have had a punch list to say we have a water problem here and we should put gutters on and do it right. Mr. Geho is certain we

will resolve it even though it is a long process.

Trustee Diana wants the building dug out, footing drains and a French drain coming off of that hill and gutters which is a major cost. Mr. Geho said that the Joint Water Works is on record with the state as operating and maintaining that facility. It is a Town of Yorktown's asset because it only supplies Yorktown and Somers by default because of Yorktown's connection. There are no operators in the Town that can operate it. We will take it over, operate it and maintain it. It is budgeted through Yorktown through the annual reconciliation. There is no money out of the Joint Water Works but it is billed back to Yorktown. We will assist as we can but at the same time we have to make sure it is safe for the men. Mrs. Paget mentioned that when you talk about the money just to make it clear from the capital aspect of developing it, it does not run through the Water Works but runs through the town. Mr. Geho said that the cost is about \$30,000 per year between both plants inconsumable. We will continue working with the Town of Yorktown on this.

Mr. Geho received confirmation from the Department of Environmental Protection that there will be a shutdown of the Catskill Aqueduct in February. What we found from the DEP is that there is going to be a lot of preparation work coming up in the next year for the long-term shutdown of the Delaware aqueduct where they make the final connection under the Hudson River. There is a lot going on north of us which will impact us here directly. We just finished the long-term shutdown for this work. From 2025-2030 there will be additional 10-week shutdown of the Catskill aqueduct. We did work at Amawalk to have as a backup.

A motion was made by Trustee Diana at 11:14 A.M. to adjourn the meeting. Motion seconded by Trustee Becker. Motion approved 4-0.

In addition to resolutions #2023-01 through #2023.20 listed above, the following resolutions were also adopted:

Resolution # 2023-21

A motion was made by Trustee Scorrano to adopt the November 18, 2022 minutes. Motion was seconded by Trustee Diana. Motion approved 4-0.

Resolution # 2023-22

A motion was made by Trustee Becker for the intended plan including 78 Locust Avenue. Motion seconded by Trustee Diana. Motion approved 4-0.

Resolution # 2023-23

A motion was made by Trustee Becker to recognize the medical absences for Mr. Richard Barton from November 7, 2022 returning to work on December 5, 2022 and for Mr. Robert Zawacki who was on medical leave from December 5, 2022 and returned to work on January 5, 2023. A motion was seconded by Trustee Scorrano. Motion approved 4-0.

Resolution # 2023-24

A motion was made by Trustee Becker for Mrs. Paget to reach out to several vendors who could offer proposals on putting together an updated Joint Water Works handbook. A motion was seconded by Trustee Diana. Motion approve 4-0.