

Northern Westchester Joint Water Works

NWJWW Board of Trustees Meeting – January 12, 2024

Raymond A. Reber Catskill Water Treatment Facility, 2065 East Main Street, Cortlandt Manor, NY

Convened at 10:06 A.M.

Adjourned at 11:15 A.M.

Present:

Richard Becker, Trustee	Matthew Geho, Operations Director
Ed Lachterman, Trustee	Catherine Paget, Business Director
Charles Peterson, Trustee	Michael Cunningham, Attorney
Robert Scorrano, Trustee	Donna Albanese, Recording Sec’y

Organizational Business:

Trustee Scorrano called the meeting to order at 10:06 A.M.

A moment of silence was held in recognition of the recent passing of Yorktown Supervisor, Tom Diana.

A motion was made by Trustee Becker to acknowledge the following member Trustees as officers of the NWJWW for the year 2024, following the scheduled rotating succession:

- Town of Somers – Chairperson
- Town of Yorktown – Vice Chairperson
- Town of Cortlandt - Treasurer

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

- #2024-02 Adopt the recommended 2024 Trustees meeting schedule (as attached)
- #2024-03 Designate the depository for monies of the NWJWW with J. P. Morgan Chase Bank.
- #2024-04 Designation of media that will represent the NWJWW for all public newspaper notifications is the Journal News, with alternate as the Examiner, with WHUD as the designated radio channels. Public notification will also occur on the NWJWW website **www.nwjww.com**
- #2024-05 Maintain the Petty Cash allotment amount of \$200.00 for the year 2024, and appoint Catherine Paget as Petty Cash custodian for the year 2024.
- #2024-06 Appoint Catherine Paget as Records Retention Manager and Safety Committee Coordinator.
- #2024-07 Establish the mileage reimbursement rate at the 2024 IRS designated rate, \$0.67 per mile. If the

IRS makes further change to this rate in 2024 this designation will automatically adjust in accordance with that change.

- #2024-08 Authorize the Business Director to make decisions about delayed openings or closing due to weather and road conditions.
- #2024-09 Establish the member bulk water rate at \$4.12 per thousand gallons as per the 2024 adopted budget.
- #2024-10 Renew the 2023 adopted Purchasing and Procurement Policy for 2024.
- #2024-11 Renew the 2023 adopted Investment Policy for 2024.
- #2024-12 Reaffirm the 2023 adopted NWJWW policy for billings to and payments from members for 2024.
- #2024-13 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.
- #2024-14 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 \$7,000 and not to exceed a period of one year, without vote of the Board of Trustees and subject to prior review of NWJWW Attorney.
- #2024-15 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.
- #2024-16 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.
- #2024-17 Reimburse the Town of Cortlandt for legal counsel services provided to the NWJWW for the year 2024 at an annual cost of \$15,000.
- #2024-18 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.
- #2024-19 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 Becker to adopt the above Organizational Resolutions numbers 2024-02 through 2024-19. Motion was seconded by Trustee Peterson. Motion approved 4-0.

Regular Business:

Request Adoption of the November 17, 2023 minutes

A motion was made by Trustee Becker to adopt the November 17, 2023 minutes. Motion was seconded by Trustee Peterson. Motion approved 4-0.

Request to approve PKF O'Connor Davies audit engagement letter for 2024-2027 and authorize the Chair to execute same

Mrs. Paget mentioned that there was a slightly incremental cost increase over the past five years between 2% and 3 % each year for the audit services from PKF O'Connor Davies. We have been using O'Connor Davies since the inception of the Joint Water Works and we have a mutually agreeable work exchange. Additionally, we get a cost benefit savings with them because the Montrose Improvement District also uses them and the ability to share the information for both entities is cost favorable.

Mrs. Paget stated that the first week they perform the audit for the Joint Water Works and the next week they perform the work for the Montrose Improvement District. Mr. Cunningham will make sure that the agreement is in place subject to both his and Mr. Wood's approval.

Mrs. Paget mentioned that Mr. Alan Kassay is the Joint Water Works audit partner and Mr. Jeff Shaver is the Montrose Improvement District's audit partner.

A motion was made by Trustee Becker to approve PKF O'Connor Davies audit engagement letter for the 2024-2027 renewal term. A motion was seconded by Trustee Lachterman. Motion approved 4-0.

Discuss 2024 Intended Capital Projects Plan, and request adoption of Plan and authorization of specific projects to be advertised for bid and/or begin

Mr. Geho stated that the Capital Projects list which was approved in 2023 has not changed. The list reflects multiple year projects which we have on the books. In 2024 we are looking at about \$180,000 in capital expense. This includes the \$800,000 which we have ongoing as far as projects that are in the process. This includes the tank telemetry project, demolishing 78 Locust Avenue and some security upgrades which we had initially bid out last year but the bids did not come back in our favor so we declined those bids. We are going to look at it again this year and it would include automated gates for both facilities and painting for the Amawalk storage tank. These were all budgeted in 2023 but did not get completed so they will be carried over into 2024.

Mr. Geho reported that this year's budget included replacing a blower at the Amawalk Plant, some decant pump work upgrades, some engineering for hypochlorite conversion at Amawalk and upgrading our clearwell pumps at the Catskill plant for additional capacity.

We budgeted for a new 1-ton work truck and a small maintenance van. Since we put out these numbers initially, prices have increased so Mr. Geho feels he will not be able to get the both vehicles for \$80,000 which was in the budget. We will have to hold off on the 1-ton work truck and just get the maintenance van. Currently, our maintenance employee is using his personal vehicle to go between different stations.

Mr. Geho said that we are also looking to replace an altitude valve for the Amawalk Catskill interconnect. He would like the Board to approve the capital costs so that he can get the projects going.

Trustee Becker suggested to Mr. Geho that there are many grants for electric vehicles. He can speak to the Town of Cortlandt's grant writer Mr. Chris Keho because the Town of Cortlandt is pursuing this. He feels that we should be thinking about the future with the electric vehicles. We can save

money if we can get the vehicle with a grant.

Trustee Becker asked if the long-term goal for 78 Locust Avenue is to rebuild it or sell it. Mr. Geho reported that the building itself is in really bad shape. There has been nothing done to 78 Locust Avenue in years. The masterplan would be to raze it, fill it in and then build another building there to house our records. Currently we are paying a storage unit to store our records which is a few thousand dollars a year. Initially, we were talking about bringing the Town of Cortlandt on board and splitting the cost because we know that the Town is paying a lot for their storage unit.

Mr. Mike Preziosi, Head of Engineering, from the Town of Cortlandt will put out the bid for the demolition. Mr. Cunningham said they did the initial analysis and it is a long process. The asbestos evaluation was done and collected data for the project.

Mr. Cunningham said that depending upon the number of records, would it be cheaper to hire a company to scan in the retention records. Mrs. Paget said that it depends because a large part of the records retention in regards to the daily activity is for cash receipts and water billing which is technically the member's records. We have to keep them for anyone who needs to access those records. These records have a retention period of 6 years and most times we do not look at them. We have enough information electronically within the water billing software. She does not feel that it is a useful effort but in regards to the permanency regards it would be a benefit. Currently, we are putting records in boxes, secured and kept for their retention period. The County shredder comes and disposes them once they met their retention.

Mrs. Paget mentioned that if we scanned everything, we would be scanning a lot of information and storing on an offsite server which we are paying for storage backup based on volume. It is not worth it to pay for that volume which would not be of value, rather than pay for water quality reports, annual financial reports and other items. On January 18th, Mrs. Paget will sit in on a seminar by the New York State records management office to learn about records management and grants and see if there will be any value to that. If the Board authorizes examining that in the future and there is value, we can pursue that grant of what we could scan. Mr. Geho mentioned that in operations we scan quite a bit and most of the paperwork is on the server now. For example, the lab books and the bench sheets.

82 Locust is presently being rented to our Chief Operator and 74 Locust is being run by the paramedics. Trustee Becker mentioned that the paramedics cleaned up the inside and are going to start cleaning the outside of the house. Mr. Geho said that if we do that we should include 82 Locust Avenue because it is our assets too. He feels that the exterior paint should probably be redone to prevent any further deterioration. With 74 Locust Avenue, we mitigated the water issue there with the new paving. Trustee Becker said that maybe their seasonal could do the paint job.

Mrs. Paget spoke about the source of funding for the capital projects that we have built into the cost per thousand for water purchases. In addition to the cost for acquiring and treating the water, there is an additional 20 cents per thousand built into that rate to fund capital projects for this type of nature only and not multimillion-dollar projects which are more likely subject to borrowing. This prevents all the members to have to do any bonding. We keep a tally of who pays for what and what those costs are and that is your source of funding for the projects.

Mr. Geho said that the cost per thousand is \$ 4.12 which includes 20 cents for capital projects. For this we are treating a thousand gallons of water but we are paying \$2.25 for that raw water per thousand. It is about \$1.88 and we are treating that thousand gallons of water. It seems elevated but we are running 2 facilities with twice the staff.

A motion was made by Trustee Scorrano to adopt the 2024 capital projects plan and authorize the specific projects to be advertised for bid and or begin. A motion was seconded by Trustee Becker. Motion approved 4-0.

Discuss possibility of consolidated public bid for member water tank replacement projects

Mr. Geho said in discussion with Mr. Ken Rundle, Yorktown Water Service Superintendent and Mr. Fred McQuillan, Town of Somers Water Service Superintendent, he found out there were tanks which needed to be painted and that we also had a tank to be painted. We received a proposal from Woodard and Curran who is the engineer that we work with. The Town of Somers and the Town of Yorktown work with them too. They retain the GIS data for all the members and they are not cost prohibitive to work with. He mentioned to Mr. Steve Robbins that if we bundle these 3 tank projects and get them done under one contract, what would that do for savings. He got back to Mr. Geho with costs, design, permitting and construction assistance. For example, you have a French Hill exterior tank that has to be painted which is a Health Department directive and there could be a potential violation. If we consolidated all 3 tanks and look at the engineering aspect, we would save about \$25,000 if we did it jointly. If we consolidate, there would also be about a 15% to 25% savings in the construction costs. He knows that the biggest point of contention is the monies for the Joint Water Works to further consolidate some of our Distribution operations. Mr. Geho would like to use this as a means of trying to figure out how we can do that whether it is one bid or multiple bids and how the funds are allocated for the payment of the project. He thinks it would be best to consolidate this project and get it out together. The contractor coming in and getting 3 tanks in the same area can do one after the other and it would be beneficial to us.

Trustee Scorrano said that it would be advantageous for them to do that. He asked if Mr. Geho can break it down by each job and then each municipality is responsible for that payment. Mr. Geho said that Mr. Steve Robbins from Woodard and Curran said that there would have to be an IMA between the members and Mr. Geho said that there is. There might be a separate IMA drafted that would allow us to maybe manage it and bill back as needed to keep the project funded which will save us money. He is not sure as to what to do as far as payments and legality.

Mr. Cunningham suggested to retain Woodard and Curran and they can breakdown what the proper allocation would be. Mr. Geho mentioned that he has that breakdown and that every member can look at it and have their own engineering team look at it. Trustee Scorrano has a great rapport with Woodard and Curran and feels that they will work with them in their favor. Mr. Geho mentioned that Woodard and Curran is working on a few things for the Joint Water Works. He said that we have a small window to get the tanks painted which will happen between June and October due to the weather. He is asking the Board that if they approve it, let us talk with the respective departments to try to figure out a means to get this accomplished. Trustee Scorrano said that this project needs to get done for the Town of Somers and if we can't do it collectively we will do it ourselves because we have that money allocated.

Mrs. Paget mentioned that the Westchester Water Works does capital projects for their members. She feels we should have a phone conversation with Mr. Paul Kutsky and Mr. David Birdsall to find out what steps they took and see if they fit with what we are doing. Mr. Geho said this would be for the Town of Somers and the Town of Yorktown but it would not include the Town of Cortlandt. Mr. Geho stated that we need to keep the line of communication open in many areas.

Mr. Cunningham said that once Mr. Geho speaks with the other counterparts in the towns then with the engineer you can have a proposal from Woodard and Curran to show the Board at a later date since it will have to go out for bid anyway. Mr. Geho stated that the proposal will go back to the members for their Board approval.

A motion was made by Trustee Lachterman to retain Woodard and Curran for water tank replacement project. A motion was seconded by Trustee Peterson. Motion approved 4-0.

Executive Session

A motion was made by Trustee Lachterman at 10:32 A.M. to enter into executive session. The motion was seconded by Trustee Becker. Motion approved 4-0.

A motion was made by Trustee Lachterman at 11:02 A.M. to exit executive session. The motion was seconded by Trustee Becker. Motion approved 4-0.

A motion was made by Trustee Becker to approve the new collective bargaining agreement commencing January 2024 through December 2026. A motion was seconded by Trustee Lachterman. Motion approved 4-0.

A motion was made by Trustee Becker to approve the same terms and conditions of the collective bargaining agreement for the clerical and nonunion employees. A motion was seconded by Trustee Lachterman. Motion approved 4-0.

A motion was made by Trustee Becker to approve increases for Mrs. Catherine Paget, Business Director in the amount of \$145,000 and Mr. Matthew Geho, Operations Director in the amount of \$150,000 for the 2024 year contract and to authorize new contracts. A motion was seconded by Trustee Lachterman. Motion approved 4-0.

Mr. Geho said that there is some additional language in the union contract which needs to be sent to the union to be worked out. The new increases will be retroactive to January 1, 2024.

Attorney's Report

Mr. Cunningham reported that they will be working with the Town of Yorktown to help finalize the fluoride agreement which has been a long process.

Regarding PFOS, Mr. Geho was able to get all the information very quickly to their outside counsel and they confirmed that there was nothing else required they needed.

Business Director's Report

Mrs. Paget mentioned that the Joint Water Works audit will commence on February 19, 2024 and the Montrose Improvement District's audit will commence on February 26, 2024.

She is continuing to participate in the Town of Cortlandt's water task monthly meetings where they review the water billing along with the water consumption. She spoke earlier about taking an introductory webinar on records management grants and what the process would be because it would be a learning experience.

We received authorization from the Board last month to request a list from Civil Service for the water meter repairer position. We reached out to Westchester County and there is no list for that position. In order to fill that position, we would need authorization to advertise the job and proceed with interviews. Trustee Lachterman asked if there was training for this position. Mrs. Paget said that that person would need a minimal level of experience which is written into the job title. It would be meter reading, meter repair and to enhance the bulk meter project which was adopted by the Board. She does not think there is a specific certification. Mr. Geho said that that person should be able to obtain a D license within a year because they would be working with pipes. Mrs. Paget stated that there are minimal qualifications as far as Civil Service

goes and if there is something preferred by the Water Works, we can look into that as we go through that process.

Mrs. Paget is continuing to work with Civil Service in terms of creating the second management position in the Business Office which was authorized last year. Currently, Civil Service has all the papers and this is not a fast process.

A motion was made by Trustee Becker for the Joint Water Works to advertise for the Water Meter Repairer position. A motion was seconded by Trustee Lachterman. Motion approved 4-0.

Operations Director's Report

Mr. Geho reported that there would be a shutdown of the aqueduct beginning next month and Amawalk will be online producing water for the Town of Somers to Montrose. Montrose will incur a small electrical surcharge during that time.

We are moving our contractor, Longo Electrical Mechanical, for the Yorktown Pump Zero which is a new pump at the Catskill facility. This should be online this year for the demand season which will save us about 150 horsepower per hour per day. This will be a significant cost savings for the towns of Cortlandt, Yorktown and Somers. It is a bigger pump to give us more efficiency. We will be working on this pump during the shutdown.

Trustee Lachterman said that he knows we pay New York City for the water. He asked if New York City pays us any taxation on that. Mr. Geho said they do but then they turn around and give you a fee for using their land which in turn you turn around and give us a fee to pay. They are paying you tax and then they give a fee to Cortlandt, Montrose and Somers.

Mr. Geho said that they are working on the water supply agreement with Mr. Cunningham and we want to get it finalized. Right now, the Towns of Cortlandt, Montrose Improvement District and the Town of Yorktown hold the water supply agreement with New York City even though they bill us directly. They do not recognize the Joint Water Works which was never officiated during the formation of the Joint Water Works. Yorktown gets a bill from the DEP then gives us that bill and we pay that on your behalf. Westchester County gets a bill because the Amawalk facility is still under their name. They give us a bill and we pay that. Montrose gets a bill and we pay that on behalf of Montrose.

Part of the new water supply agreement would be to have the Joint Water Works be the sole holder of the agreement with New York City. We are trying to get them to recognize the Joint Water Works total population for excessive consumption because if we do that then the number of excessive consumptions per year decrease. The Towns of Somers and the Town of Cortlandt get the excessive consumption periodically. This would help balance out your populations to keep that cost down. We finally received the City's comments from 2016 back in 2023. There will be a point and request from the member's information and documents from their engineering departments. This is going to be what is needed for the City.

Mr. Geho mentioned that a few years back he requested to have a meeting with the Chairperson periodically. He and Catherine, met with Trustee Scorrano already this year, and have set up meetings for the rest of the year. This helps to streamline this process, get ideas and bring it to the Board in a more cohesive way.

A motion was made by Trustee Scorrano 11:15 A.M. to adjourn the meeting. Motion seconded by Trustee Peterson. Motion approved 4-0.

Resolution #2024-01

A motion was made by Trustee Becker to acknowledge the following member Trustees as officers

of the NWJWW for the year 2024, following the scheduled rotating succession:

Town of Somers – Chairperson

Town of Yorktown – Vice Chairperson

Town of Cortlandt - Treasurer

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

In addition to resolutions #2024-02 through #2024.19 listed above, the following resolutions were also adopted:

Resolution # 2024-20

A motion was made by Trustee Becker to adopt the November 17, 2023 minutes. Motion was seconded by Trustee Peterson. Motion approved 4-0.

Resolution # 2024-21

A motion was made by Trustee Becker to approve PKF O’Connor Davies audit engagement letter for the 2024-2027 renewal term. A motion was seconded by Trustee Lachterman. Motion approved 4-0.

Resolution # 2024-22

A motion was made by Trustee Scorrano to adopt the 2024 capital projects plan and authorize the specific projects to be advertised for bid and or begin. A motion was seconded by Trustee Becker. Motion approved 4-0.

Resolution # 2024-23

A motion was made by Trustee Lachterman to retain Woodard and Curran for water tank replacement project. A motion was seconded by Trustee Peterson. Motion approved 4-0.

Resolution # 2024-24

A motion was made by Trustee Becker to approve the new collective bargaining agreement commencing January 2024 through December 2026. A motion was seconded by Trustee Lachterman. Motion approved 4-0.

Resolution # 2024-25

A motion was made by Trustee Becker to approve the same terms and conditions of the collective bargaining agreement for the clerical and nonunion employees. A motion was seconded by Trustee Lachterman. Motion approved 4-0.

Resolution # 2024-26

A motion was made by Trustee Becker to approve increases for Mrs. Catherine Paget, Business Director in the amount of \$145,000 and Mr. Matthew Geho, Operations Director in the amount of \$150,000 for the 2024 year contract and to authorize new contracts. A motion was seconded by Trustee Lachterman. Motion approved 4-0.

Resolution # 2024-27

A motion was made by Trustee Becker for the Joint Water Works to advertise for the Water Meter Repairer position. A motion was seconded by Trustee Lachterman. Motion approved 4-0.