

ALBANY WATER BOARD
MINUTES OF REGULAR MEETING
May 27, 2021

A regular meeting of the Albany Water Board was officially convened at 9:30am. Pursuant to Executive Order No. 202.1, issued by Governor Cuomo on March 12, 2020, and advisories issued by Federal, State, and Local officials related to the COVID-19 virus, the Albany Water Board convened its meeting by video conference call.

The meeting notice provided information to the public on how to participate. No members of the public participated and no inquiries were received from the public prior to the meeting.

PRESENT: Charles Houghton, Chairperson; Karen Strong, Secretary; Anthony Owens, Treasurer; Rachel Johnson, Vice Chairperson

STAFF PRESENT: Joseph E. Coffey, Jr., P.E., Commissioner; Thomas Dufresne, CFO; William Simcoe, P.E., Deputy Commissioner, Lisa Middleton, Confidential Assistant

BOARD ADVISORS PRESENT: William Kahn, UHY Advisors

EXCUSED: TJ Ruane, Whiteman Osterman Hanna

Approval of Meeting Minutes

Chairperson Houghton introduced the minutes of the Regular Meeting February 26, 2021, Special Meeting of April 2 and Special Meeting of April 9. With no objection, the reading of the minutes was dispensed and Mr. Houghton called for a motion to approve the minutes. A motion was made by Anthony Owens, seconded by Rachel Johnson and passed unanimously.

Public Comment Period

No public comment

Committee and other reports:

Governance Committee Report – Rachel Johnson – determined that we need an additional Governance Committee meeting on Friday June 25th at 8am to work on the investment policy and the operations agreement and TJ will prepare a resolution concluding that the Governance committee considered that there were two other policies we do not need.

Financial Report –Tom Dufresne/Bill Kahn

- April MTD/YTD Financials
- Revenues came in at \$2.4 million; YTD \$10.8 million compared to \$13.3 million in previous year; the timing difference from billings of December are causing the variance

- Operating Expenses came in at \$4.9 million compared to \$4.4 million previous year
- Expenses are higher this year compared to last year up about \$0.5 million in spending which relates to higher county sewer payment. YTD \$9.1 million compared to \$8.6 million in 2020.
- Negative net operating cash flow for the period
- \$1.4 million positive cash flow for the year down from previous year of \$4.9 million
- \$235,000 debt service first contribution towards \$25 million new borrowing
- We are using bond issuance to fund capital projects. Capital expenses \$1.9 million
- Misc. revenue we received \$148,000 payment from The Nature Conservancy for sale of carbon credits
- Operating expenses personnel expenses are up 5.5 percent for the similar period 2020.
- Grants financing and other receipts \$1 million; \$500,000 was a payment from city of Albany for their portion of the Ramsey place pavement; remaining receipts are from EFC
- Owed to the city \$588,000
- Grant financing \$5.8 million
- \$1.3 million large user unpaid balance
- Received \$450,000 online payments; YTD cash receipts \$1.7 million cash online payments
- Supply spending is up slightly from previous year; Large hydrant order that was placed
- Utilities are up significantly for the period and for the year; may risk blowing the budget, its double than what was in previous year – Tom is unsure of what is causing the increase and will do more investigation
- ABO Compliance – PARIS Reporting – submitted investment policy and 2020 audit report is pending. We don't submit the annual report until Board accepts the Audit and Financial Statements. The PARIS Report was due March 31, 2021 so we are technically not in compliance.

Commissioner's Report – Commissioner Joseph Coffey, Jr., P.E. and Deputy Commissioner William Simcoe, P.E.

2021 MTD/YTD Critical Numbers & Key Performance Indicators – Commissioner expressed concern that we are under budget by 12% YTD for revenue, because our large user consumption is down and he doesn't see a big change in that downward trend anytime soon. Payroll – the city is retaining a thirds party consultant to do a study on compensation of city employees

Injury report – We had a good year in 2020, workers comp and injuries numbers were down last year; however, in 2021 the numbers are going up; The Albany Water Dept. held a safety stand down day on May 6th where we met with each shift and went over with the staff reminders of use of PPE, safety reminders, and how to get the incident report and injuries to go back down.

Lead Water Service Replacement Program – Proposed Grant Program – Once the Water Board Reviews and Adopts the Program, the Department will do a press event to announce and promote the program.

We do about 250 lead service replacements a year. Joe shared with the Board that Mayor is on Board with the Program. The Water Dept. Laboratory received their ELAP certification for lead and copper analysis.

Sprint lease renewal – Water Tank/Pine Bush - Lease renewal coming up in June with Sprint. The Department want to make sure that we collect a portion of any revenue that is collected on their sublease; TJ has been asked to get a lease template that we can share with Sprint; Joe had an appraisal done by Conti Appraisers which showed that we should be at \$20,000 annually, and Sprint is currently paying \$11,000.

American Water Homeowner Insurance Program – sewer lateral – American Water wants to sell these insurance protection policy to our customers. AWD will invite them to give a brief presentation on their product at the June AWM meeting.

35 Erie Blvd. building demolition – Received updated plans from CT Male and the new building/site work project will go out to bid on June 8th, the building is vacant, traffic engineering and the police department have moved their equipment and materials out. Asbestos abatement will start June 2 and building demolition will occur in July.

Engineering Planning Grant Requirements – In June the Albany Water Dept. will be applying for two grants for high hazard dams; Rensselaer Lake and Basic Creek \$100,000 grants for both, to cover the design portion. CFA has a deadline for applications at the end of July. An Engineering Planning grant was awarded for \$36,000 for Delaware Engineering to do an engineering study for a potential connection for a portion of our sewer system along the Krum Kill to divert to the Town of Guilderland's Dillenbeck Road pump station.

Update on Lincoln Park Bowl Proposal – We had a press event after multiple community meetings to discuss filling the bowl with excavated materials from the satellite treatment facility site. We may put 2-3 feet of fill material into the bowl. There is currently a fence around the perimeter and a road going down from the excavated area into the fill area in the bowl. Working with a consultant (Adirondack Environmental) to do air monitoring. The Water Dept. will use Purple Air monitors in the pool area. The monitors stream continuous data for particles that are 2.5 micron in size. Will continue to share drone overflights.

Phase IV Award to Rifenburg Construction – Working with EFC to set up additional finance agreement – want to get Beaver Creek Phase IV awarded. Ae expect to receive a value engineering change order credit. They need to get started in June to be finished by December. They know we are awaiting financing and it may take a few months.

Phase V (HVAC) Change Order to include EFC Package as part of Contract – HVAC contract with DiGesare Mechanical, EFC requires the Albany Water Dept. to have the latest version of the EFC bid packet, so that is being incorporated into the contract with this change order.

Old Business

Suspension of Billing - Guidance Policy – Commissioner will have a draft Policy in advance of the next meeting to the Board for review.

New Business/Resolutions

Resolution 21-37: Awarding Contract to Rifenburg Construction in Bid Amount of \$8,695,312 Chairman Houghton asked for a motion to approve, Mr. Owens moved, Ms. Johnson seconded, passed unanimously.

Resolution 21-38: Approving Change Order #1 to Beaver Creek Clean River project – Phase V (HVAC) with DiGesare Mechanical Inc. Chairman Houghton asked for a motion to approve, Ms. Johnson moved Mr. Owens seconded, passed unanimously.

Resolution 21-39: Authorizing the Deputy Commissioner to be the Authorized Representative of the Albany Water Board associated with Sewer Upgrade Study Engineering Planning Grant #104963. Chairman Houghton asked for a motion to approve, Ms. Johnson moved and Ms. Strong seconded, passed unanimously.

Resolution 21-40: Authorizing and obligating \$6,000 as Local Match funds associated with Sewer Upgrade Study Engineering Planning Grant #104963. Chairman Houghton asked for a motion to approve, Ms. Strong moved and Ms. Johnson seconded, passed unanimously.

Resolution 21-41: Authorizing Execution of an Engineering Agreement with Delaware Engineering for work associated with Sewer Upgrade Study Engineering Planning Grant #104963 for a Not to Exceed Fee of \$36,000. Chairman Houghton asked for a motion to approve Ms. Johnson moved and Mr. Owens seconded, passed unanimously.

Resolution 21-42: Determining that Action to conduct a Sewer Upgrade Study associated with Engineering Planning Grant #104963 is a “Type II Action” and No Further Action is required under SEQRA with Respect Thereto. Chairman Houghton asked for a motion to approve, Ms. Strong moved and Ms. Johnson seconded, passed unanimously.

Resolution 21-43: Awarding 35 Erie Boulevard Building & Site Improvements Contract 1 – Asbestos Abatement, to MJ’s Contracting Services, Inc. Waterville, NY in Bid Amount of \$142,200. Chairman Houghton asked for a motion to approve, Ms. Johnson moved and Mr. Owens seconded, passed unanimously.

Resolution 21-44: Awarding 35 Erie Boulevard Building & Site Improvements: Contract 2 - Building Demolition, to DiTonno & Sons, LLC. Colonie, NY in Bid amount of \$52,000. Chairman Houghton asked for a motion to approve, Ms. Johnson moved and seconded by Mr. Owens, passed unanimously.

Resolution 21-45: Adopting Lead Water Service Replacement Grant Program for 2021 providing reimbursable grants to eligible property owners in amount of \$1,000 for half service replacement and \$2,000 for full service replacement. Chairman Houghton asked for a motion to approve, Ms. Strong moved and Ms. Johnson seconded, passed unanimously.

Resolution 21-46: Approving Change Order 3A to the Sedimentation Building Contract with VMJR Companies in the amount of \$26,355. Chairman Houghton asked for a motion to approve Mr. Owens moved, and Ms. Johnson seconded, passed unanimously.

Resolution 21-47: Adopting a Uniform Guidance Compliance Policy – On hold until next Governance meeting.

Being no further business, Chairman. Houghton called for a motion to adjourn the meeting. A motion was made by Ms. Johnson, seconded by Ms. Strong and passed unanimously. The meeting was adjourned at 11:00 am.

Next regular meeting of the Water Board is scheduled for Friday, June 25, 2021 9:00am. Note Governance Committee meeting 8:00am.

Approved by:  _____

(Secretary)