

Northern Westchester Joint Water Works

NWJWW Board of Trustees Meeting – May 10, 2024

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

Convened at 10:12 A.M.

Adjourned at 11:06 A.M.

Present:

Robert Scorrano, Chairperson	Matthew Geho, Operations Director
Ed Lachterman, Vice Chairperson	Catherine Paget, Business Director
Richard Becker, Treasurer	Michael Cunningham, Attorney
Charles Peterson, Trustee	Donna Albanese, Recording Sec'y
Jeff Dahlke, Town of Yorktown, Assistant Distribution	

A motion was made by Trustee Becker to adopt the March 15, 2024 minutes. Motion was seconded by Trustee Lachterman. Motion approved 4-0.

Requests for bid awards and permissions to bid:

Review results and request award of Bid# 2024.1 Amawalk Plant Lagoon Residuals Removal

Mr. Geho stated that the Amawalk Lagoon Residuals Removal is part of our 3-year operational process in which we have to dredge our lagoons. We budgeted \$425,000 and the price that came in is 27.5 cents per gallon. We are estimating about 1.5 million gallons of residual removal which puts us about where we had budgeted for this process. We need the residuals storage capacity in the lagoons to produce water for the summer. Mrs. Paget mentioned that we pay for it out of the 20 cents per thousand. We do not put it in the operating budget every 3 years because it would skew the budget. We always foresee that we are going to pay for it out of that particular plan. Mrs. Paget said that we have to charge it to an operating line because there is no capital investment in it. It is not in the rate per thousand for regular water purchase, it is in the 20 cents per thousand.

Mr. Geho said it would be an 8 or 9 cent rate increase every 3 years if we funded this in the operations and maintenance budget. We level this out by funding it via the 20 cents per thousand over the course of 3 years so that it does not hit us hard. It is monies we have allocated in the fund balance. Mrs. Paget said in 2020 we paid \$268,494 for the residuals removal.

Mr. Geho explained to Trustee Becker that when we backwash the filters or when we settle out the solids in the raw water in our clarifier process, we blow that residuals off to our lagoons and store it there. We allow the sun to cook off some of the water so that we are concentrating it. We then move that around between the 3 different basins. We pull out of that through the course of the years but

then it becomes overwhelming and we cannot get it all out in one year. We budget \$150,000 for residuals removal for the year and if we did this process every year, we would have to budget about \$250,000 to \$300,000 for the year so this normalizes it for us over the course of 3 years. Trustee Scorrano asked if the residents close by are notified about the residuals removal. Mr. Geho said we have not in the past but we can do a notice to the community to let them know there may be an odor when the lagoons are dredged and that it only happens every few years.

Mr. Geho stated that the company takes it to Passaic Valley Wastewater Commission in New Jersey and dewater it. They used to send it to Texas to make bricks. Typically, we would do our next Board of Trustees meeting in June at Amawalk. If we are at that level and there is an issue of odor, we can reschedule the June Board meeting to the Catskill Plant.

A motion was made by Trustee Lachterman to award Wind River Environmental LLC Bid #2024.1 Amawalk Lagoon residual removal at a cost of \$0.275 per gallon. A motion was seconded by Trustee Becker. Motion approved 4-0.

Review results and request award of Bid# 2024.2 Landscaping and Grounds Maintenance

Mr. Geho stated that this is the annual bid we bid out for landscaping for the Catskill and Amawalk facilities, the 24” right of way through Yorktown and the adjacent 3 properties on Locust Avenue. We budgeted \$40,000 and the bid came in at \$30,000. We had 4 bidders and we did explore the option of piggybacking off the Town of Cortlandt but we could not so that is why we bid out the landscaping bid.

A motion was made by Trustee Becker to award Love Your Home LLC Bid #2024.2 for landscaping and grounds maintenance for the Catskill and Amawalk Water Treatment Plants, 3 adjacent properties on Locust Avenue and the 24” right of way through Yorktown. A motion was seconded by Trustee Lachterman. Motion approved 4-0.

Request permission to extend for additional one-year periods the following previously awarded Bid# 2023.4 HVAC Contractor Services

Mrs. Paget reported that we had bid out the HVAC Contractor services last year and we are satisfied with the contractor, Clean Air Quality. We have a provision in the contract which allows us to extend for 2 additional one-year periods. She would like to reach out to the vendor and send them a standard format which Mr. Cunningham has approved. We understand that if there is a price increase, we would need to know what that terms are before committing.

A motion was made by Trustee Lachterman to authorize the Business Director to sign a one-year extension upon written confirmation with Clean Air Quality for HVAC services. A motion was seconded by Trustee Becker. Motion approved 4-0.

Request permission to advertise for bid Emergency Contractor Services

Mr. Geho stated that this is an emergency services contract which we bid out. If we have a water main break, we call on the towns of Yorktown and Cortlandt to assist us and using the emergency contractor services is used in the event that neither town can assist us. We would call in the contractor to come in and do the work with us. A couple of years ago, we had to use their services for a break on the 16” transmission main. This is not something we are committing to but in the event we

have an emergency, we would need their assistance. This would also allow each of the members to participate off of this emergency contract bid if so needed.

A motion was made by Trustee Becker to authorize the Operations Director to solicit bids for emergency contractor services for repairs to transmission mains as a backup for when the members are unable to provide mutual aid. A motion was seconded by Trustee Lachterman. Motion approved 4-0.

Request to approve workers compensation insurance renewal quote

Mrs. Paget mentioned that PERMA is the worker's compensation carrier and administrator. Due to market conditions as well as increases in salaries reported, they projected as much as a 9% increase. Arthur Gallagher has advocated upon our behalf and they were able to get a 6% increase instead. In 2020 we had a claim which resulted in loss of time and surgery that affected our experience modification factor which is a small piece of this. The salaries are what they base the premium on which affects our premium increase. Last year we paid \$83,654 and this year \$89,119. Mrs. Paget budgeted \$100,000 so we are covered.

She asked Arthur Gallagher about going out to market but the two other companies they would have looked into said that both companies were not good in terms of claims administration as PERMA is. For the market factors as well as the salary costs, we would be starting over with an experience modification factor actually higher than what PERMA is giving us. Trustee Scorrano asked if we can self-insure and Mrs. Paget said that she does not think that anything can stop us from looking into self-insuring. Mr. Cunningham said that in the Town of Cortlandt they do and we can look into it. Mrs. Paget mentioned that we had our last claim with PERMA in 2022 and prior to that in 2016.

A motion was made by Trustee Peterson to approve the worker's compensation policy which is being held by Public Employees Risk Management Association (PERMA) with a renewal quote of \$89,119. A motion was seconded by Trustee Becker. Motion approved 4-0.

Request to approve budget transfers dated May 6, 2024

Mrs. Paget requested approval for a budget transfer to fund the purchase of Polymer for the Catskill Water Treatment Plant. The transfer would be funded from building maintenance from the Catskill Plant for \$6,000. We did not have a budget for Polymer. Mr. Geho mentioned that Polymer was not showing up on our chemical consumption reports and it is a chemical that we sometimes buy in bulk in one year then may not buy it the next year.

A motion was made by Trustee Lachterman to approve a budget transfer in the amount of \$6,000 from building maintenance dated May 6, 2024 to cover the cost of the chemical Polymer which had not been previously budgeted. A motion was seconded by Trustee Peterson. Motion approved 4-0.

Request to approve expenses for Trustees Meeting on June 21, 2024

Last year at the Amawalk Water Treatment Plant Trustees meeting, we spent under \$250 for the meeting expenses. Mr. Geho said he would know by the Wednesday prior and inform the Board if the June Board meeting would still take place at the Amawalk Plant due to the lagoon residuals removal project. He mentioned that if Trustee Lachterman, Trustee Becker and Trustee Peterson would like a tour of the Amawalk Dam it can be scheduled at 11:00 A.M. before the meeting.

A motion was made by Trustee Becker not to exceed \$250 for the Board of Trustees meeting being held on June 21, 2024 at the Amawalk Water Treatment Plant. A motion was seconded by Trustee Lachterman. Motion approved 4-0.

Request receive and file of NWJWW Records Retention Disposal Listing

Mrs. Paget explained that records retention disposal is part of our annual records inventory. We identify records that are no longer useful in our day to day operations and have met their maximum retention under the New York State Archives schedule. We developed a list of items that go back as far as 2014 and no later than 2017. We scheduled the Westchester County Mobile Shredder truck to come to the storage unit at Regina Avenue in Cortlandt Manor and shred everything.

A motion was made by Trustee Becket to receive and file the NWJWW records retention disposal listing for records from 2014 and no later than 2017 according to the New York State Archives schedule. Westchester County Mobile Shredder will be onsite to shred the documents. A motion was seconded by Trustee Peterson. Motion approved 4-0.

Request to receive and file 1st quarter 2024 Budget Summary report

Mrs. Paget reported that at the end of March expenditures and revenues are between about 20% to 25% of the operating budget which is where we expect to be at this time of the year. We will see a spike in the expenditures as we go through the summer months because the demand is higher. We will also see higher budgetary items for the treatment expenses.

Mrs. Paget mentioned that New York City Water Board has released a public notice that they are having a public hearing in the month of May and June for their budgetary evaluations. They are not going to exceed a 1.82% rate increase to communities north of the city and we developed our budget with a forecasted 7% rate increase. In City, and for communities outside of the city's water district like Putnam Valley or Mill Pond districts, or anyone who is in excess consumption position, those rates are increasing to 8.5%.

Mr. Geho said that when we set the budget, our Amawalk Polyaluminum coagulant costs are very high because of the organic load in the reservoir. We projected about \$180,000 for the year's PACL consumption and we budgeted \$100,000. The reason we did this was because if we have to tap into that, the \$80,000 difference would have been 3 cents per thousand to cover it and we just shut down for a month. We will be back online by Memorial Day because the towns of Cortlandt and Yorktown will be filling their pools so we have to bring the plant back online. The intent is that come September or October we will shut the plant down again so that we do not have to spend the money. If Mr. Geho comes back in November and says that we had to run the plant because there is a high demand or some other issue, then he would request additional funds for that PACL. Ideally, we can keep it, not use the facility and not spend the money and make due what we budgeted so far.

A motion was made by Trustee Peterson to receive and file the 1st quarter 2024 budget summary report. A motion was seconded by Trustee Becker. Motion approved 4-0.

Request to receive and file 1st quarter 2024 Operations report

A motion was made by Trustee Lachterman to receive and file 1st quarter 2024 operations report. A motion was seconded by Trustee Peterson. Motion approved 4-0.

Remote fluoride station update

Mr. Geho reported that we had our final walk through approval for the fluoride facility. He met Mr. Dan Ciarcia, Yorktown Engineer, and Ms. Heather McVeigh, Mr. Zaw Thein and Mr. Joel Mendoza, all from the Department of Health. All the issues which were identified at the last walk through were corrected. The floors were done, telemetry is there as well as the interlocks and the facility is in great shape. At that meeting, they disclosed to us that they now will be deeming the fluoride site as the new Entry Point to distribution for Yorktown. This changes the dynamic of the facility. The original discussion was that the facility was going to be a chemical injection facility. We had a fluoride analyzer which recorded the data and that would be sufficient for the Department of Health. They came back and said no we have to do daily grab samples and install an online chlorine analyzers with telemetry back to the Plant for continuous monitoring. This is not something we cannot work around and it is going to take some discussion with NWJWW and Yorktown to see how we are going to address this new issue. Discussions are underway with Yorktown to resolve.

Trustee Peterson asked if the Department of Health gave a reason for the change. Mr. Geho said that because a chemical is being added there can be a change in the disinfection residual even though it is about 4,000 linear feet from the plant. Trustee Peterson asked if the old procedure did not take that into account but Mr. Geho said no there was no mention or issue on this. He said that this plant is producing the water.

Mr. Geho's concern is that it is a restricted area in which you need a respirator to go in there and samplers cannot go in there without a respirator. We have to bring the sample tap outside. We have to negotiate with Smith Controls or bring in our own automation team. There are some gyrations that the Water Works has to go through. Since the beginning of this project, his concern has been the monitoring issue.. He would like to meet with Yorktown and come back to the Board with ideas. Mr. Geho mentioned that the chlorine analyzer is about \$9,000. We have the controls and the manpower to visit the site whether it is Yorktown or the Joint Water Works personnel.

Trustee Scorrano asked where this money is coming from? Is it coming from the municipalities? Mr. Geho said it will come out of the Towns of Yorktown and Somers. He said that the budget code is 8342 effectively which is Yorktown's code and everything will be charged back. In the IMA we estimate about \$30,000 a year for operating this facility and this would be part of that. The existing IMA would authorize us to make purchases on behalf of Yorktown and then billing Yorktown back.

Mr. Geho said that we have to work out a schedule for Yorktown to assist us. There are times that we have only one operator here and we cannot send him out to get a sample. We may have to have a relief operator on his way into the facility to stop by to do the test. Trustee Scorrano asked if this would be another full-time position and Mr. Geho said no. It is only the holidays or weekends we have to cover. Trustee Peterson asked if it has to be a licensed operator to collect the sample and Mr. Geho said no because it is distribution. It has to be a licensed operator to operate the pump but then the sample collection is distribution.

Trustee Scorrano said that we see that with the PFOS and phosphorus. They do not take into consideration what the economics is going to be. There are no discussions but demands and then we have to figure out what the costs are going to be. Mr. Geho said that we will resolve it but we will have to work out the additional scheduling with Yorktown. It impacts this Board because it is our employees having to do the sampling. Mr. Geho mentioned that if a Yorktown employee that goes

into the facility, they would need a respirator, fit testing and fit training. Mr. Jeff Dahlke, Yorktown Assistant Distribution, said that we would rather not go in if we do not have to and just be stationed outside. He asked if it would be chlorine residual and fluoride sampling and Mr. Geho said yes, we would pull the full set. The chlorine analysis and fluoride analysis are being done continuously and they just want us to grab a sample to be verified.

Trustee Peterson said that if they want this to be our entry point, can we take another entry point offline and Mr. Geho said no because we only have 2 entry points which is Amawalk and Catskill. Your PFAS and UCMR's samples will have to be collected there and monitoring plans will have to change. Mr. Dalke stated that the comprehensive monitoring plan was removed as a bacterial site because at that time in exchange it is treatment because the fluoride is no longer distribution. You can no longer use that site for coliform. Mr. Geho said that it is not distribution but the beginning of distribution. Mr. Dalke asked Mr. Geho if he sees anything else from the Department of Health that is an entry point that might cost money. Mr. Geho said if they do require turbidity, we have old turbidity meters that we can donate to the cause because we have older technology that we have taken off that are spares. We only have one chlorine analyzer but we need it. We can be offline 2 days without it but the parts can be used as spares. He feels that we need further clarification from the Department of Health.

Trustee Peterson asked if there is an avenue by which under the rules of the Joint Water Works as the four members that we can share in the cost of this to make it a little fairer for Yorktown? Trustee Lachterman said that you cannot take your taxpayer money and put it towards the fluoride treatment. Mr. Geho said that where the Joint Water Works is assisting we are not charging manhours to do the work but in a way, we are. Mrs. Paget said that it may wind up in that direction because of the IMA. Mr. Geho said that if any one of the Joint Water Works employees responds to any other member, we have a code and when the guys do the work they will code that so that for example if they work 8 hours in Cortlandt then Yorktown would not be paying for that. We have a mechanism that we can share the cost. We will meet separately and bring it back to the Board at the June meeting.

Mr. Dalke said that the Town of Yorktown has fluoride because it was a referendum. Mr. Geho said that in the public notice, which we will be using a clearing house, letters will also be sent to the residents of the Town of Somers. We are awaiting final clearance from the Department of Health.

Discuss NJWJWW easements needed for accessing 24" main

Mr. Geho spoke to Mr. Cunningham and this has been identified at the Montrose Improvement level because Montrose's legal mentioned that this is a Joint Water Works issue and needs to be handled. We went back to try to find the easement of the right of way for the 16' transmission line through Blue Mountain but we do not have one and does not seem to be on record anywhere. It is probably an oversight when they built the pipe in the 1930's and we would like to get that cleaned up. In regards to the 24" main which has been turned over to us, we are making sure we have proper authority and proper documentation we need to assert anything on behalf of the Joint Water Works pertaining to the 24" main and 16" main. This has not been a problem but we want to get it cleaned up and resolved. Trustee Peterson mentioned that Ms. Bernis Nelson, lawyer for the Montrose Improvement District, has done preliminary work on this and would be happy to share the information.

Attorney's Report

Mr. Cunningham mentioned that both he, Mr. Geho and Mrs. Paget have complied all the information for the PFAS lawsuit. Hopefully, we will be receiving settlement money but it has not been determined when that will be.

Mr. Cunningham also reported that the union contract has been finalized as well as Mr. Geho and Mrs. Paget's contracts. He will be working on the easements.

Business Director's Report

Mrs. Paget mentioned that the New York State Annual Financial Report has been completed and submitted as of April 29, 2024 with it being a joint project with her and Trustee Becker as Treasurer.

We continue to invest \$5 million in certificate of deposit investments. The certificate of deposit was renewed in April and the available rate at that time was 4.64 percent in which we are locked into that rate for another 6 months.

Operations Director's Report

Mr. Geho said that the Board has approved us to go to Woodard and Curran for the million-gallon storage tank project to have it painted and do some structural upgrades to get up to safety codes. He just signed the paper work for the Department of Health for the application. In the process of doing the application, they did an updated estimate with new numbers. We budgeted between \$400,000 and \$500,000 and they are saying the cost will be about \$1.4 to \$1.6 million. Twenty years ago, it cost \$300,000 to paint the tank and in twenty years the cost could be \$3 million. A new tank could cost us \$2.2 million to \$2.4 million so he feels we should take that tank down and put in a concrete tank that is preventative and maintenance free. Tying that into a bigger project with Amawalk because we have the clarifier that has failed that we did not do and had a change order a few years ago.

Mr. Geho mentioned that we also have the new PFAS regulations to contend with . We can do an overview of the facility and see what the treatments will be for the PFAS and somehow incorporate a new tank into that. He would like to come back to the Board with a master plan for the facility and see what our options are for funding it. We can start the project with our fund balance and maybe look to do a bond.

The original tank which is steel is from 1974. The steel structural tanks are prohibitive to build and the glass or concrete tanks are the new tanks being put up. Trustee Scorrano asked why go to a concrete tank over a glass tank. Mr. Geho said that a kid could shoot through a glass one with a bb gun and spring a leak. He reported that the concrete industry spun off of agricultural and it's over 100 years old. The cost of labor and materials is extremely costly. Fifteen to twenty years is the average time to repaint the tanks. We will continue with the process of painting and get the Department of Health approval. At the same time, we can do the feasibility of whether replacing the tank would be the better option. We are not in a dire condition with the tank and there is no consent order from the Department of Health. This has to be done but if we took another year and not repair it then we should think about replacing it and put it on a 5-year plan with other plant work we are going to do.

Mr. Geho reached out to DN Tanks who installed the tank at the Catskill Plant. They are doing a tank in Westchester County for \$2.2 million to \$2.4 million.

Executive Session

A motion was made by Trustee Becker at 10:57 A.M. to enter into executive session. The motion was seconded by Trustee Peterson. Motion approved 4-0.

A motion was made by Trustee Becker at 11:05 A.M. to exit executive session. The motion was seconded by Trustee Lachterman. Motion approved 4-0.

A motion was made by Trustee Lachterman at 11:06 A.M. to adjourn the meeting. Motion seconded by Trustee Becker. Motion approved 4-0.

Resolution #2024-46

A motion was made by Trustee Becker to adopt the March 15, 2024 minutes. Motion was seconded by Trustee Lachterman. Motion approved 4-0.

Resolution #2024-47

A motion was made by Trustee Lachterman to award Wind River Environmental LLC Bid #2024.1 Amawalk Lagoon residual removal at a cost of \$0.275 per gallon. A motion was seconded by Trustee Becker. Motion approved 4-0.

Resolution #2024-48

A motion was made by Trustee Becker to award Love Your Home LLC Bid #2024.2 for landscaping and grounds maintenance for the Catskill and Amawalk Water Treatment Plants, 3 adjacent properties on Locust Avenue and the 24" right of way through Yorktown. A motion was seconded by Trustee Lachterman. Motion approved 4-0.

Resolution #2024-49

A motion was made by Trustee Lachterman to authorize the Business Director to sign a one-year extension upon written confirmation with Clean Air Quality for HVAC services. A motion was seconded by Trustee Becker. Motion approved 4-0.

Resolution #2024-50

A motion was made by Trustee Becker to authorize the Operations Director to solicit bids for emergency contractor services for repairs to transmission mains as a backup for when the members are unable to provide mutual aid. A motion was seconded by Trustee Lachterman. Motion approved 4-0.

Resolution #2024-51

A motion was made by Trustee Peterson to approve the worker's compensation policy which is being held by Public Employees Risk Management Association (PERMA) with a renewal quote of \$89,119. A motion was seconded by Trustee Becker. Motion approved 4-0.

Resolution #2024-52

A motion was made by Trustee Lachterman to approve a budget transfer in the amount of \$6,000 from building maintenance dated May 6, 2024 to cover the cost of the chemical Polymer which had not been previously budgeted. A motion was seconded by Trustee Peterson. Motion approved 4-0.

Resolution #2024-53

A motion was made by Trustee Becker not to exceed \$250 for the Board of Trustees meeting being held on June 21, 2024 at the Amawalk Water Treatment Plant. A motion was seconded by Trustee Lachterman. Motion approved 4-0.

Resolution #2024-54

A motion was made by Trustee Becket to receive and file the NWJWW records retention disposal listing for records from 2014 and no later than 2017 according to the New York State Archives schedule. Westchester County Mobile Shredder will be onsite to shred the documents. A motion was seconded by Trustee Peterson. Motion approved 4-0.

Resolution #2024-55

A motion was made by Trustee Peterson to receive and file the 1st quarter 2024 budget summary report. A motion was seconded by Trustee Becker. Motion approved 4-0.

Resolution #2024-56

A motion was made by Trustee Lachterman to receive and file 1st quarter 2024 operations report. A motion was seconded by Trustee Peterson. Motion approved 4-0.