

WESTCHESTER JOINT WATER WORKS
Board of Trustees Meeting
Tuesday, December 14, 2021 at 3:00 p.m.

Present:

- Trustees: Ron Belmont (in-person), Nancy Seligson (via videoconferencing), Thomas Murphy (via videoconferencing)
- Lori Lee Dickson, General Counsel (in-person)
- Paul Kutzy, Manager (via videoconferencing)
- David Birdsall, Business Director (via videoconferencing)
- Frank Arcara, General Superintendent (via videoconferencing)
- Jacqueline Briggs, Assistant Civil Engineer (via videoconferencing)
- Zach Wasp, Assistant Civil Engineer (via videoconferencing)
- Members of the Public: Peter Close, Austa Devlin and Karen Midkiff (all in-person)

Introductions

WJWW Board members, WJWW staff and members of the public who were attending the meeting in-person, shared their names, titles and/or affiliations.

Approval of Minutes

Trustee Murphy made a motion to approve the minutes of the November 23, 2021 Board meeting, with an amendment to include the names of the guests who attended the meeting in-person. Trustee Belmont seconded the motion, all in favor:

Trustee Seligson	“aye”
Trustee Belmont	“aye”
Trustee Murphy	“aye”

Financial Reports and Approvals

David Birdsall, Business Director, reviewed bank balances and presented claims to the Board highlighting significant items, among them: Rye Lake UV Facility Project (EFI, Filingeri, ELQ, H2M), Member Municipality Distributions, Distribution System Repairs (Etre Associates), Purchase Booster Station Project (Huntington Power, ELQ, Vitolite, Lanza, Xylem, Hazen), Rye Lake Filter Plant Project (Hazen, Bryan Cave, Nexus, Nelson Pope, Co-Comm), Payroll Costs, NYSHIP Monthly Health Insurance Premium, Final Retainage Payment Barry Av/Macy Rd Transmission Main Project (ELQ)

Approval of Claims: Trustee Belmont made a motion to approve 266 claims totaling \$6,621,746. Trustee Murphy seconded the motion, all in favor:

Trustee Seligson	“aye”
Trustee Belmont	“aye”
Trustee Murphy	“aye”

General Administration:

- David Birdsall, Business Director, requested that the Collective Bargaining Agreement discussion and the NYS Paid Family Leave items be discussed in Executive Session later in the meeting.
- David Birdsall, Business Director, explained that as a result of upcoming changes to the composition of the WJWW Board due to the retirement of Trustee Seligson and Trustee Belmont retiring at the end of this year, new signatory plates will be needed for the WJWW bank account. Trustee Murphy made a motion to designate himself and Supervisor-Elect Jaine Elkind Eney to become the new bank signatories, effective January 1, 2022. Trustee Belmont seconded the motion, all in favor:

Trustee Seligson	“aye”
Trustee Belmont	“aye”
Trustee Murphy	“aye”

Old Business

- Rye Lake Filtration Plant:
 - SEQR Update: Lori Lee Dickson, General Counsel, shared that WJWW consultants are continuing their work on developing the 17 substantive chapters of the DEIS, 14 of which are well underway. With 3 outstanding chapters delayed due to issues related to analysis for completeness as required, the DEIS is now expected to be presented to the Board in the first quarter of the new year. Lori Lee Dickson, General Counsel, explained that the consultants are working towards producing a perfect document with the ultimate goal of acquiring approval and adoption of the DEIS by the Board. Once the WJWW Board adopts the DEIS, a process as mandated by law, will usher in another public hearing and comment period. All public comments that were received related to the Scope were incorporated in the Final Scope. General Counsel, encouraged the public to visit the microsite to review the Scope and all the public comments received. Trustee Seligson pointed out the Scope was expanded as a result of public comments.
- Project Updates: Frank Arcara, General Superintendent, indicated that there are no project updates to discuss at this time.

Manager's Report

Paul Kutzy, Manager, explained that he wanted to take a few moments to recognize the Trustees' years of service to WJWW and to the members of the public that it serves. The timing, he explained, was brought about by the fact that Trustee/Chair Seligson and Trustee/Vice Chair Belmont will both be ending their tenure with WJWW, given the fact that they are both retiring from their respective positions as Supervisor of the Town of Mamaroneck and Mayor of the Town/Village of Harrison, at the end of this year. It was noted that they have served on the WJWW Board of Trustees for 10 years. Paul Kutzy, Manager, presented a PowerPoint slide show and shared that the mission of WJWW is “to provide uninterrupted supply of water under all system demands, with adequate pressure and capacity, which meets regulatory requirements for treatment and drinking water quality standards, and which meets fire protection needs

throughout the entire water distribution system.” He pointed out that the Trustees face challenges as they have a fiduciary duty to help WJWW achieve this mission in the most cost-effective way. Some of the challenges that the Trustees have been faced with include regulatory compliance issues, other treatment needs and critical water system vulnerabilities, some of which were previously unrecognized and some that are emerging. The presentation concluded with Paul Kutzy, Manager, expressing his gratitude to all of the Trustees for positioning WJWW “for now and into the future.” He also shared his personal thanks and gratitude for the trust and support that Trustee Seligson and Trustee Belmont have bestowed on him over the last four years as Manager of WJWW.

New Business

Trustee Seligson shared that the discussion related to a SUEZ matter will be held in Executive Session and Lori Lee Dickson, General Counsel, explained that any actions that might take place in Executive Session will be reported in the minutes.

Executive Session

At 4:02 p.m., Trustee Murphy made a motion to go into Executive Session to discuss the Collective Bargaining Agreement and pending litigations. Trustee Belmont seconded the motion, all in favor:

Trustee Seligson	“aye”
Trustee Belmont	“aye”
Trustee Murphy	“aye”

At 4:43 p.m., Trustee Belmont made a motion to leave Executive Session and return to the Regular Board meeting. Trustee Murphy seconded the motion, all in favor:

Trustee Seligson	“aye”
Trustee Belmont	“aye”
Trustee Murphy	“aye”

Following review and discussion in Executive Session and upon return to the regular Board meeting, the Trustees moved on the following items:

- Trustee Murphy made a motion to approve the Memorandum of Agreement negotiated and approved by WJWW Management and the Union in its entirety which incorporated the following salary increases and one-time payments:
 - Salary increases: 2.75% (2022), 2.75% (2023), 2.75% (2024), 3.00% (2025).
 - One-time ratification bonus payments of \$800 for each union employee.

Trustee Belmont seconded the motion, all in favor:

Trustee Seligson	“aye”
Trustee Belmont	“aye”
Trustee Murphy	“aye”

- Trustee Murphy made a motion to approve WJWW opting into the NYS Family Leave program. Trustee Belmont seconded the motion, all in favor:

Trustee Seligson	“aye”
Trustee Belmont	“aye”
Trustee Murphy	“aye”

- Trustee Murphy made a motion to approve the McCarthy Fingar, LLP retainer agreement proposal for General Counsel and legal services. Trustee Belmont seconded the motion, all in favor:

Trustee Seligson	“aye”
Trustee Belmont	“aye”
Trustee Murphy	“aye”

Date of Next Meeting

The next Board of Trustees meeting is scheduled for Tuesday, December 28, 2021 at 3:30 p.m.

With no further business to discuss, Trustee Belmont made a motion to adjourn the meeting. Trustee Murphy seconded the motion:

Trustee Seligson	“aye”
Trustee Belmont	“aye”
Trustee Murphy	“aye”

The meeting adjourned at 4:48 p.m.



Water Supply Issues Faced by Trustees: Looking Back

WJWW Board of Trustees

Nancy Seligson, Chairperson

Ron Belmont, Vice Chairperson

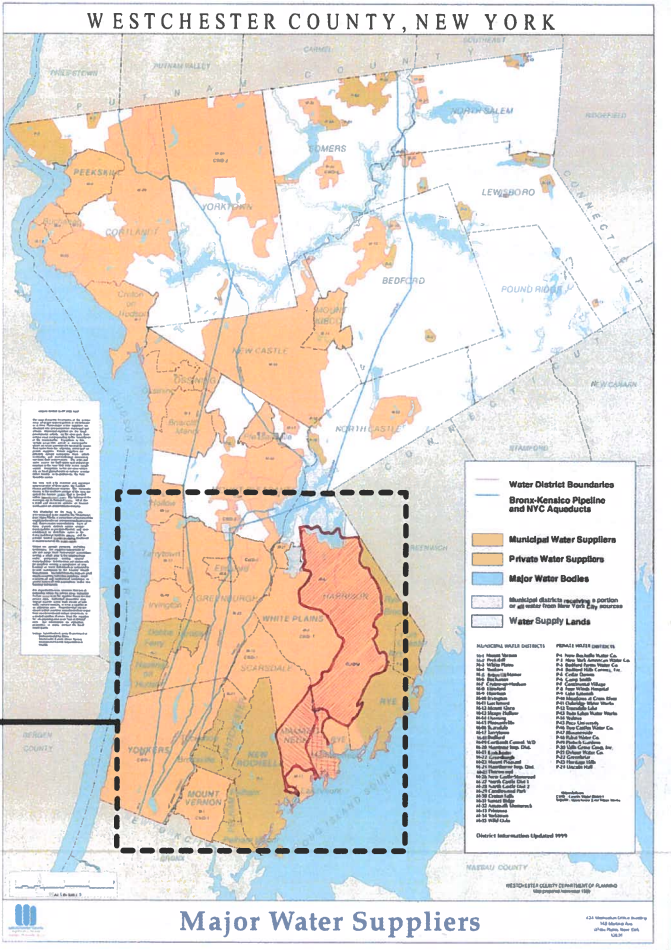
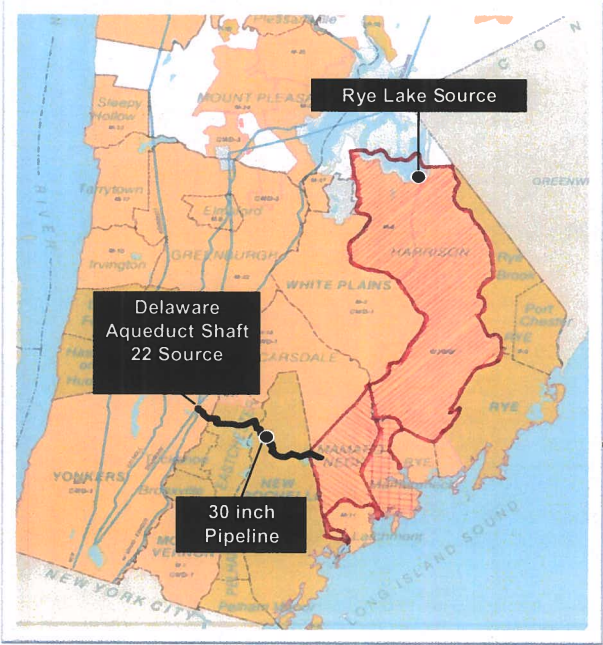
Tom Murphy, Clerk / Treasurer

December 14, 2021

Westchester Joint Water Works Overview

- ▶ Westchester Joint Water Works (WJWW) is a non-profit public benefit corporation consisting of the member municipalities of the Village of Mamaroneck, the Town of Mamaroneck, & the Town/Village of Harrison.
- ▶ WJWW supplies water on a retail basis to residents of its member municipalities & to portions of the City of Rye & the City of New Rochelle, serving a total retail population of 59,629 persons through 14,682 service connections. WJWW also provides water on a wholesale basis to the Village of Larchmont & SUEZ Water Westchester, which provides water to the City of Rye, the Village of Rye Brook & the Village of Port Chester.
- ▶ In all, WJWW provides drinking water to some 120,000 people in Westchester County.
- ▶ WJWW is supplied by the New York City Department of Environmental Protection (NYCDEP) reservoir & aqueduct system at Rye Lake (Kensico Reservoir) & at Shaft 22 of the Delaware Aqueduct.

WJWW Service Area



WJWW Mission

- ▶ To provide an uninterrupted supply of water under all system demands,
- ▶ with adequate pressure and capacity,
- ▶ which meets regulatory requirements for treatment & drinking water quality standards,
- ▶ & which meets fire protection needs throughout the entire water distribution system.

WJWW Trustees

- ▶ Trustees have a fiduciary duty to their constituents to achieve the WJWW mission in the most cost effective way.

Issues Faced by Trustees

▶ Regulatory Compliance

- ▶ Longstanding Violation of the USEPA Surface Water Treatment Rule Filtration Requirement (NYS Court Order - 2004)
- ▶ Haloacetic Acids (HAA5) MCL Violations in 2019 (USEPA Administrative Order - 2019)

▶ Other Treatment Needs

- ▶ Treatment Requirements for Cryptosporidium under the USEPA LT2ESWTR
- ▶ NYCDEP Plans to Cease Chlorination (effective January 1, 2023)

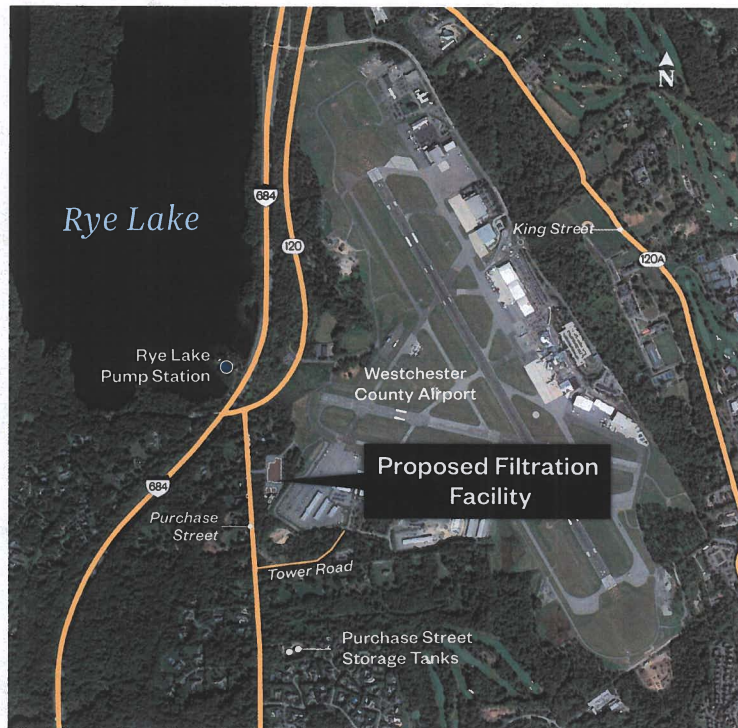
▶ Critical Water System Vulnerabilities

- ▶ Previously Unrecognized & Emerging

Regulatory Compliance

- ▶ **Longstanding Violation of the USEPA Surface Water Treatment Rule Filtration Requirement (SWTR)**
 - ▶ NYS Court Order to construct a filtration plant - 2004
 - ▶ \$65 million in fines accrued to date.
- ▶ **Haloacetic Acids (HAA5) Maximum Contaminant Level (MCL) Violations in 2019**
 - ▶ Under USEPA Stage 2 Disinfectants & Disinfection Byproducts (Stage 2 DBPR).
 - ▶ USEPA Administrative Order to construct a filtration plant - 2019
 - ▶ \$35,000 in potential fines that could be accrued daily.

Regulatory Compliance



Source: www.wjwwfiltration.org

- ▶ **Proposed Filtration Plant for WJWW's Rye Lake Source**
 - ▶ Sited at Westchester County Airport.
 - ▶ Currently in State Environmental Quality Review (SEQR) Process.
 - ▶ Anticipated to be constructed by 2027.
 - ▶ For more information, please visit www.wjwwfiltration.org

Regulatory Compliance

WJWW Rye Lake Water Filtration Plant Preliminary Concept Images



Source: www.wjwwfiltration.org

Other Treatment Needs

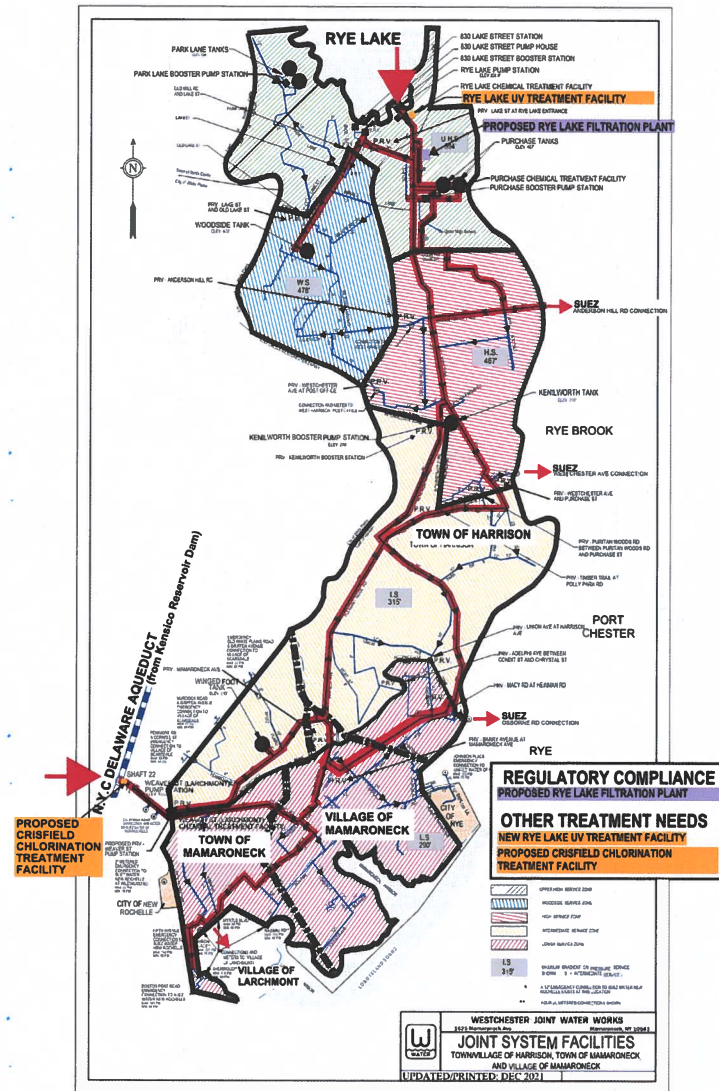
- ▶ **Treatment Requirements for Cryptosporidium under the USEPA Long Term 2 Enhanced Surface Water Treatment Rule (LT2ESWTR)**
 - ▶ Cryptosporidium is a microorganism commonly found in lakes & rivers, and has been detected at Rye Lake.
 - ▶ Cryptosporidium is highly resistant to chlorine disinfection which is the treatment that is currently provided at WJWW's Rye Lake Source.
- ▶ **In response to this treatment requirement & potential public health hazard:**
 - ▶ **Ultraviolet Light (UV) Treatment Facility was constructed at WJWW's Rye Lake Source which will be in service January 2022.**
 - ▶ Cost of the UV Facility was \$8 million which was offset by a grant through the Intermunicipal Grant Program administered by NYSEFC for \$3.2 million.
 - ▶ The UV Facility will free-up 2,000,000 gallons of available water storage capacity at the Purchase Tanks that had been tied up in providing contact time for chlorine disinfection.

Other Treatment Needs

- ▶ **NYCDEP Plans to Cease Continuous Chlorination at Shaft 18 of the Delaware Aqueduct (Kensico Dam) starting in January 2023**
 - ▶ WJWW currently relies on receiving chlorinated water from NYCDEP for WJWW to meet disinfection treatment requirements for contact time.
- ▶ **In response:**
 - ▶ **Proposed installation of chlorination facilities for WJWW at the City of Yonkers Crisfield Pump Station**
 - ▶ The Crisfield Pump Station is located across the street from WJWW's Shaft 22 Source.

WJWW Joint System Facilities

- ▶ Regulatory Compliance
- ▶ Other Treatment Needs



Critical Water System Vulnerabilities - Previously Unrecognized

- ▶ **Dependency on other public water systems during short-term loss of Shaft 22 source**
 - ▶ Routine NYCDEP annual 8-hour shutdowns of Shaft 22 for valve maintenance.
 - ▶ Due to lack of source redundancy.
- ▶ **Dependency on other public water systems during long-term loss of Shaft 22 source**
 - ▶ Break in WJWW's 30" transmission main from Shaft 22 source in 2012 resulting in a 3-month shutdown.
 - ▶ Due to lack of source redundancy.
- ▶ **Any planned or emergency shutdown of the Delaware Aqueduct by NYCDEP**
- ▶ **Corrected by:**
 - ▶ **Installation of Pressure Control Valves (PRV's) & Construction of the Macy Road / No. Barry Avenue Transmission Main**

Critical Water System Vulnerabilities - Emerging

- ▶ Due to increasing water demands
- ▶ **Inability to meet potential fire flow demands in Low Service Zone during peak summer water demand periods**
 - ▶ Due to lack of source redundancy.
 - ▶ Due to inadequate systemwide total water storage tank capacity during peak summer water demand periods.
- ▶ **Corrected by:**
 - ▶ Installation of Pressure Control Valves (PRV's) & Construction of the Macy Road / No. Barry Avenue Transmission Main
 - ▶ Replacement of existing 450,000 gallon Kenilworth Tank with new 2,200,000 gallon Kenilworth Tank

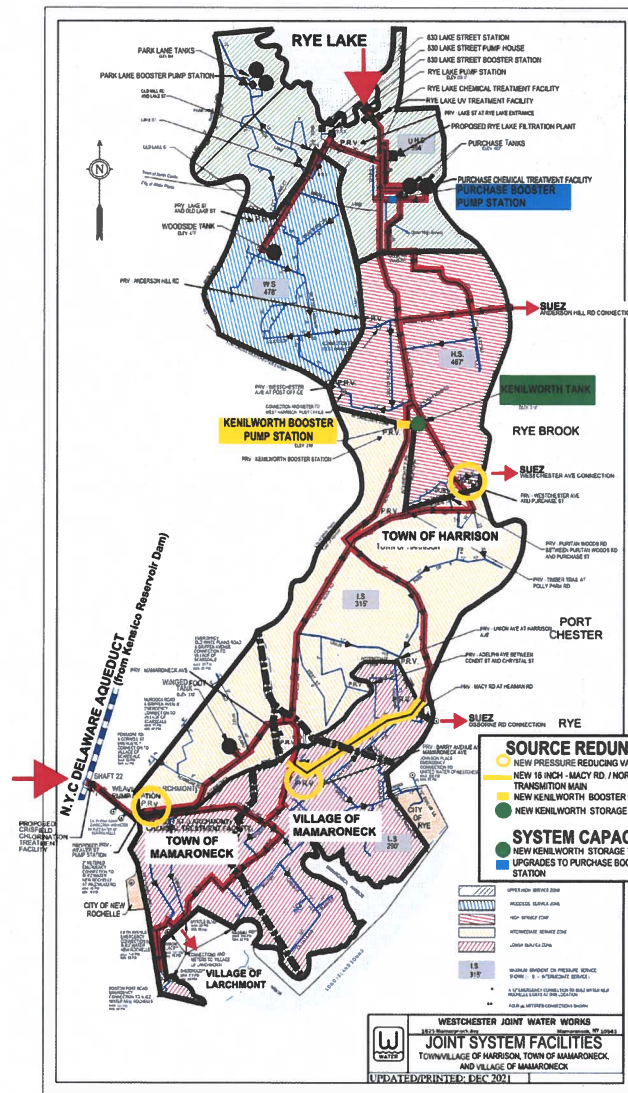
Critical Water System Vulnerabilities - Emerging

- ▶ Due to increasing water demands
- ▶ Inability to meet potential fire flow demands in Upper High Service Zone during peak summer water demand periods
 - ▶ Due to inadequate capacity of the Purchase Booster Pump Station.
- ▶ Corrected by:
 - ▶ Purchase Booster Pump Station upgrade from 3.9 MGD pumping capacity (with no backup pumping capacity) to 10 MGD pumping capacity (with back-up pumping capacity).
 - ▶ Westchester County Airport is a major user in the Upper High Service Zone & contributed to 50% of the cost of the Purchase Booster Pump Station Upgrade.

WJWW

Joint System Facilities

- ▶ Source Redundancy
- ▶ System Capacity



Thank you Trustees for Positioning WJWW for Now & Into the Future

Special Thanks to
Nancy Seligson & Ron Belmont
for your Years of
Dedicated Service to WJWW

