

CLIFTON PARK WATER AUTHORITY

BOARD MEETING MINUTES

November 12, 2025

Those present were: Mr. Helmut Gerstenberger, Chairman; Mr. William Butler, Treasurer; Mr. Kenneth Bowman, Board Member; Mr. Chris Wheland, Administrator; Mr. James Trainor, Attorney; and Mr. Ronald Marshall, Superintendent. Absent: Mr. John Ryan, Vice Chairman; and Mr. Peter Taubkin, Secretary.

Mr. Gerstenberger called the meeting to order at 7:05pm.

Pledge of Allegiance

Approve Minutes of October 15, 2025 Meeting

Mr. Gerstenberger made a **motion** to approve the October 15, 2025 board meeting minutes; seconded by Mr. Butler. The **motion** carried 3-0.

Privilege of the Floor

Joseph Yakel, a resident of Niskayuna, was present to observe the CPWA board meeting.

Old Business

Peacock Glen Property

Stormwater paperwork is being reviewed by the Town.

Vertical Bridge

Waiting to schedule a meeting with Verizon to discuss their contract and ownership.

New Business

Bond Covenant Resolution Review and Approval

The group reviewed the 2025 and 2026 budgets to ensure proper debt ratio. Presented was the section of the bond referring to the requirement of the required resolution.

Clifton Park Water Authority

Resolution # 24, 2025

Resolution on the Adequacy of the Rates to Sufficiently Comply with the Rate Covenant

WHEREAS, the Clifton Park Water Authority has completed a review, taking into consideration the completion of any uncompleted water projects and issuance of future series of bonds if necessary to finance the completion of such water projects, of its financial condition for the purpose of estimating whether the net revenues for fiscal years 2025 and 2026 will be sufficient to comply with the rate covenant contained in subsection (b) of section 7.12 of the water system revenue bond resolution adopted November 16, 1993. Now, therefore be it

RESOLVED, that the Clifton Park Water Authority has estimated that its net revenues for fiscal years 2025 and 2026 will be sufficient to comply with the rate covenant contained in the subsection (b) of section 7.12 of the water system revenue bond resolution adopted November 16, 1993, and it is further

RESOLVED, that the Clifton Park Water Authority Board of Directors hereby authorizes a copy of this resolution, certified by its chairman, an authorized officer, setting forth a reasonably detailed statement of the actual and estimated revenues, operating expenses, aggregate debt service, and any other estimates or assumptions upon which such determination was based, to be filed with the bond trustee.

Motion to Accept: Mr. Gerstenberger

Seconded: Mr. Butler

Roll Call Vote:

Mr. Gerstenberger	- Aye
Mr. Ryan	- Absent
Mr. Taubkin	- Absent
Mr. Butler	- Aye
Mr. Bowman	- Aye

[Automated Clearing House Policy](#)

Discussion was had over an automated clearinghouse policy which Chris had developed to allow for electronic payments. A disclaimer was added from the proposed document presented at the October meeting.

Clifton Park Water Authority Resolution # 25, 2025 Adopting ACH Payment (Bank Draft) & Check Issuance Policy

NOW, THEREFORE BE IT

RESOLVED, that the Clifton Park Water Authority Board of Directors hereby adopts the ACH Payment (Bank Draft) and Check Issuance Policy, as presented.

Motion to Accept: Mr. Butler

Seconded: Mr. Bowman

Roll Call Vote:

Mr. Gerstenberger	- Aye
Mr. Ryan	- Absent
Mr. Taubkin	- Absent
Mr. Butler	- Aye
Mr. Bowman	- Aye

[Other Business](#)

[Northwood Water Connection](#)

Chris reported progress on the Northwood Water Connection project, with the pipe tapped into their line. A meeting is being held on Friday Nov 14th to discuss the extension for the Heflin Project and continuance of the 16-inch water line on Route 67.

DEC Water Withdrawal Permit

Discussion was had on a water withdrawal permit service extension between CPWA and DEC to include the addition of Northwood water system and Droms Rd subdivision. It was stated that it is a permit modification between CPWA and DEC. No other parties are involved at this time. It was also discussed how the Town of Ballston and Round Lake are part of the permit, as well as the county's water source allocation.

[The next meeting is scheduled for December 10th.](#)

Mr. Gerstenberger made a **motion** to adjourn the meeting at 7:30pm; seconded by Mr. Butler. The **motion** carried 3-0, Mr. Ryan and Mr. Taubkin (Absent).

other advice and recommendations as it may deem desirable.

Section 7.10. Limitations on Operating Expenses. The Authority shall not expend any amount for Operating Expenses for any year in excess of the amounts provided therefor in the applicable Annual Budget as originally adopted or as amended. Nothing contained in this Section shall limit the amount which the Authority may expend for Operating Expenses in any year provided any amounts expended therefor in excess of such Annual Budget (whether as originally adopted or as amended) shall be received by the Authority from a source other than Revenues and the Authority shall not make or receive any reimbursement therefor out of Revenues.

Section 7.11. Operation and Maintenance of Water System. The Authority shall at all times operate or cause to be operated the Water System properly and in a sound and economical manner and shall maintain, preserve, reconstruct and keep the same or cause the same to be so maintained, preserved, reconstructed and kept, with the appurtenances and every part and parcel thereof, in good repair, working order and condition, and shall from time to time make, or cause to be made, all necessary and proper repairs, replacements and renewals so that at all times the operation of the Water System may be properly and advantageously conducted.

Section 7.12. Rates and Charges. (a) The Authority shall at all times fix, charge and collect rates, rents, fees and charges for each class of service rendered and commodities furnished by the Water System, and will from time to time amend or adjust such rates, rents, fees and charges so that the Revenues of the Water System shall always be sufficient to provide for the payment of the principal of and interest on the Outstanding Bonds as and when the same become due and payable; to maintain the Funds and Accounts established in this Resolution; and to provide for the payment of the Operating Expenses.

(b) Without limiting the generality of the foregoing, the Authority shall at all times fix, charge and collect such rates, rents, fees and other charges as shall be required in order that in each Fiscal Year Net Revenues shall at least equal the Net Revenue Requirement for that Fiscal Year. The failure in any Fiscal Year to comply with the foregoing rate covenant in this subsection (b) shall not constitute an Event of Default if the Authority shall comply with subsection (c) of this Section 7.12. The Trustee may, and upon the identical request of the Holders of not less than ten percent (10%) in the aggregate principal amount of the Bonds Outstanding and upon being indemnified as provided in Section 9.01(b)(9) hereof shall, institute and prosecute in a court of competent jurisdiction an appropriate action to compel revision of the schedule of fees, rents, rates and charges in accordance with the Act and with any of the covenants contained in this Section 7.12.

(c) On or before November 1 in each Fiscal Year the Authority shall complete a review of its financial condition for the purpose of estimating whether the Net Revenues for such Fiscal Year and for the next succeeding Fiscal Year will be sufficient to comply with the rate covenant contained in subsection (b) of this Section 7.12 and shall by resolution make a determination with respect thereto. Such review shall take into consideration the completion of any uncompleted Water Project and the issuance of future Series of Bonds if necessary to finance the completion of such Water Projects. A copy of such resolution, certified by the Secretary, together with a certificate of an Authorized Officer setting forth a reasonably detailed statement of the actual and estimated Revenues, Operating Expenses, Aggregate Debt Service, and any other estimates or assumptions upon which such determination was based, shall be filed with the Trustee on or before December 1 in each year. If the Authority determines that the Revenues may not be so sufficient, it shall forthwith cause the Consulting Engineer and/or the Independent Accountant to make a study for the purpose of recommending a schedule of fees, rents, rates and charges for the Water System which, in the judgment of the Consulting Engineer or the Independent Accountant or both, as the case may be, will cause sufficient Revenues to be collected in the following Fiscal Year to comply with the rate covenant in subsection (b) of this Section 7.12 and will cause additional Revenues to be collected in such following and later Fiscal Years sufficient to eliminate the amount of any deficiency at the earliest practicable time. The Authority shall as promptly as practicable but no later than the next April 1, adopt and place in effect a schedule of fees, rents, rates and charges recommended or approved by the Consulting Engineer or the Independent Accountant or both, as the case may be, pursuant to this Section 7.12 or Section 7.09. The Authority shall forthwith upon the adoption of any schedule of fees, rents, rates and charges or revision thereof file certified copies thereof with the Trustee.

(d) Subject to the provisions of subsection 22 of section 1120-d of the Act, the Authority shall shut off water service to any user for non-payment of water bills and charges after said bills and charges are delinquent for a period of ninety (90) days in the manner and upon the notice, as may be required, of a waterworks corporation pursuant to subdivisions 3-a, 3-b and 3-c of Section 89-b and Section 116 of the Public Service Law of the State.

(e) The Authority shall not furnish free service to any person, firm, association, corporation (whether municipal or private), political subdivision or public or governmental agency; provided, however, that the continuation of a free service required by a contract or franchise validly in force on June 15, 1992 shall not be deemed a breach of this covenant.

(f) Any service rendered or facility furnished by the Authority to any person, firm, association, corporation (whether

ACH Payment (Bank Draft) and Check Issuance Policy

Clifton Park Water Authority

Effective Date: 10/16/2025

Approved By: CPWA Board of Directors

The purpose of this policy is to establish requirements for customers who wish to pay their water bills using Automated Clearing House (ACH) electronic (Bank Draft) payments and procedures and controls for issuing payments by Automated Clearing House (ACH) transfers and physical checks. These controls ensure that all disbursements are authorized, properly documented, and recorded in the financial system and that there is a convenient, secure, and efficient payment option while ensuring proper authorization and financial controls.

Personal information is collected to provide our services, improve user experience, and comply with legal obligations. Information is handled securely and in accordance with applicable privacy laws. By submitting personal information, the customer agrees to our collection, use, and storage practices. If you have any questions or concerns about your data privacy, please contact us at 518-383-1122.

ACH Payment Policy

1. Eligibility

All active residential and commercial customers of Clifton Park Water Authority are eligible to enroll in ACH payments (Bank Draft).

2. Authorization

- Customers must complete an **ACH (Bank Draft) Authorization Form**, available on our website or at the water system office.
 - The form must include:
 - o Customer name(s) on the account
 - o Water system account number
 - o Bank name, routing number, and account number
 - o Signature and date
 - A voided check or official bank document must be attached for verification.
 - By signing the authorization form, the customer authorizes Clifton Park Water Authority to initiate electronic debit entries from their designated bank account for water service payments.
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3. Payment Schedule

- ACH (Bank Draft) payments will be processed **on or about the due date** listed on the monthly bill.
 - If the due date falls on a weekend or holiday, payment will be processed on the next business day.
 - Customers must ensure sufficient funds are available in their bank account on the processing date.
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4. Returned Payments

- If an ACH (Bank Draft) transaction is returned for **insufficient funds, closed account**, or any other reason, a **returned payment fee of \$25.00** will be charged to the customer's account.
 - The water system reserves the right to terminate ACH (Bank Draft) payment privileges after **two returned transactions** within a 12-month period.
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5. Changes or Cancellations

- Customers may update or cancel their ACH (Bank Draft) authorization at any time by providing written notice at least **10 business days** before the next scheduled withdrawal.
 - Changes include switching bank accounts, changing names, or closing an account.
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6. Privacy and Security

- Customer banking information will be handled securely and used solely for the purpose of processing authorized ACH (Bank Draft) payments.
 - The water system will not share banking details with any third party except as required by law or to complete authorized transactions.
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7. Termination by the Water System

Clifton Park Water Authority reserves the right to suspend or terminate ACH (Bank Draft) payment options at any time if necessary due to system changes, returned payments, or misuse.

8. Contact Information

For questions about ACH (Bank Draft) payments or to update your authorization, please contact:

Clifton Park Water Authority

Address: 661 Clifton Park Center Road, Clifton Park, NY 12065

Phone: 518-383-1122

Email: cpwa@cpwa.org

ACH Issuance Policy

1. Scope

This policy applies to all payments made by the Clifton Park Water Authority, including vendor payments, employee reimbursements, payroll, and other approved disbursements.

ACH payments are processed to ensure the confidentiality and integrity of our financial information. Payment details are shared with authorized financial institutions and relevant partners involved in the transaction process. Security measures are implemented to protect our data from unauthorized access, disclosure, or alteration.

2. Authorized Payment Methods

- **ACH Transfers:** Preferred method for vendor payments, payroll, and recurring expenses.
- **Checks:** Used for one-time payments, vendors that do not accept ACH, or as a backup method when ACH is unavailable.

3. Responsibilities

a. Authority Administrator

- Reviews and approves all payment requests before processing.
- Ensures sufficient funds are available.

b. Business Manager

- Prepares ACH files or checks for approved payments.
- Maintains supporting documentation (invoices, approvals, etc.).
- Records all transactions in the accounting system.

c. Board of Directors (if applicable)

- Reviews and approves disbursements as per the procurement policy.
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5. ACH Payment Procedures

1. **Authorization:**
 - o ACH payments require approval by the Business Manager.
 - o Vendor ACH information must be verified and securely stored.
 2. **Setup & Verification:**
 - o Vendor or employee must complete an **ACH Authorization Form** with routing and account numbers.
 - o Banking details are verified through a pre-note or micro-deposit process.
 3. **Processing:**
 - o ACH batches are created within the financial institution's secure platform.
 4. **Documentation:**
 - o Each ACH payment must be supported by an invoice or other approved documentation.
 - o Proof of payment is attached to the payment record in the accounting system.
 5. **Reconciliation:**
 - o ACH payments are reconciled monthly against the bank statement.
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6. Check Issuance Procedures

1. **Check Preparation:**
 - o Checks are issued only for approved disbursements with supporting documentation.
 - o Checks must be pre-numbered and stored securely.
 2. **Check Issuance:**
 - o Checks issued must follow the procedure as stated in the procurement policy.
 - o Blank checks must never be pre-signed.
 3. **Distribution:**
 - o Checks may be mailed directly to the payee or picked up with written acknowledgment.
 4. **Voided or Lost Checks:**
 - o Voided checks are marked "VOID" and retained.
 - o Lost checks require a stop-payment order.
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7. Internal Controls

- Segregation of duties between those approving, preparing, and signing payments.
- Password protection for online banking and accounting systems.

- Annual review of authorized signers by the Board.
 - Regular audits or financial reviews by an independent accountant.
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8. Record Retention

All payment records, including invoices, ACH confirmations, and check copies, will be retained for **at least 7 years** in compliance with financial and audit requirements.



ACH Bank Draft Payments Sign-Up Form

CUSTOMER INFORMATION

Name: _____

Account No: _____

E-mail Address: _____

Phone No: _____

FINANCIAL INSTITUTION INFORMATION

Bank Name: _____

Bank Routing/Transit No: _____

Name on Account: _____

Account Type (check one): ☐ CHECKING ☐ SAVINGS

Account No: _____

I certify that the information above is correct, that I am an authorized signer or designate of the account provided for ACH transactions, and that I am authorized to provide this information.

I authorize the Clifton Park Water Authority to deduct my utility payments from this bank account via Electronic Fund Transfer. I understand sending a written notification to the Clifton Park Water Authority will revoke this authorization.

The Clifton Park Water Authority reserves the right to cancel Electronic Fund Transfers due to insufficient funds without notice.

Your payment information is exclusively used for processing transactions related to our services and will not be shared with third parties without your consent, except as required by law

Print Authorized Name

Authorized Signature

Date