

**MINUTES OF THE MEETING OF THE
NEW YORK CITY WATER BOARD**

December 4, 2025

A meeting of the New York City Water Board (the “Board”) was held on Thursday December 4, 2025 at 255 Greenwich Street, Manhattan, New York in the 8th floor conference room 8-S1/S2 beginning at approximately 8:30 a.m. The following members of the Board attended the meeting:

Adam Freed,

Jukay Hsu,

Arlene Shaw,

Udai Tambar, and

Daniel Zarrilli

constituting a quorum. Member Freed left the meeting after the conclusion of discussion of the voting items, during the financial and legislative update. Member Shaw served as chairperson and Michael Moore served as Secretary of the meeting. Board officers Executive Director Nerissa Moray and Treasurer Omar Nazem were in attendance, along with the Department of Environmental Protection’s Commissioner Rohit Aggarwala and Deputy Commissioner Albert Kramer. From the Bureau of Water Supply, Shilo Williams, DEP’s Assistant Commissioner for Source Water Protection and Laurie Machung, Chief of Natural Resources, both joined the meeting via videoconference.

Approval of the Minutes

After deferring a resolution thanking Alfonso Carney for his service as the Board’s chairman, the next item on the agenda was approval of the minutes of the Board’s previous meeting

held on October 8, 2025. Upon a motion duly made and seconded, the minutes were approved unanimously by the four members other than Adam Freed, who abstained from the voting since he had not attended the October 8 meeting.

Extension and Funding of the Board's Agreement with Paymentus Corporation

Treasurer Nazem described the request to the Board regarding Paymentus Corporation, a vendor the Board previously agreed to fund in 2020 and contracted with in 2021 under an agreement that, with extensions, would be in effect until 2032. Mr. Nazem described the previously authorized funding amount of \$8 million for the initial term of the agreement, and explained that \$3.5 million of that funding remained unspent, reminding the Board that Paymentus was originally selected because of its built-in integration with the Board's Itineris billing system. Mr. Nazem described the funding request for the extension term of the agreement from 2026 to 2032 as involving an additional \$12 million for both of the two three-year extension options comprising the combined six-year extension term.

Member Hsu asked about the reasoning for requesting funding for the six years of the extension term in the single resolution. Mr. Nazem explained that since the vendor's performance during the first term was satisfactory, it was staff's intention to extend the contract for the first three-year extension term and to evaluate toward the end of the first extension term how to address the second extension option, stating that if the vendor's performance continued to be satisfactory, then the Board would avoid needing to hold a third vote on funding for a performing vendor and that, if the vendor's performance was not satisfactory, then staff would need to obtain a new funding resolution for a replacement vendor. Mr. Freed confirmed that the pricing described by Mr. Nazem was included in the Board's agreement with Paymentus. Upon a request from the members, staff agreed to include language in the resolution requiring an update to the Board on

the agreement prior to exercising the second extension option and further agreed to provide the Board with a briefing on the digital payment options offered by Paymentus. Commissioner Aggarwala concurred with the request, and described some of DEP's efforts in this area, including the enhanced bill credit for electronic billing authorized by the Board in 2022. In response to a question from Member Zarrilli about the competitiveness of the contract's pricing, Mr. Nazem stated that the ACH pricing was reasonable compared to the pricing available through the Board's banking ACH provider, and explained that staff had negotiated aggressively with the vendor during the procurement phase in 2020 and 2021, obtaining a pricing reduction of nearly 80% compared to the vendor's opening proposal.

Upon a motion duly made and seconded, the minutes were approved unanimously by the members in attendance.

RESOLUTION

WHEREAS, pursuant to Sections 1045-b and 1045-g of the New York City Municipal Water Finance Authority Act (the "Act"), the Board is authorized to enter into contracts and to retain private consultants for the purpose of obtaining professional or technical services to assist the Board in carrying out its responsibilities, including tasks relating to the planning, development, financing, or construction of the water and wastewater system of the City of New York (the "System"); and

WHEREAS, the Board's duties under the Act include establishing and collecting water and wastewater rates and charges in an amount sufficient to place the System on a financially self-sustaining basis; and

WHEREAS, at its meeting on November 19, 2020, the Board authorized the Board's Executive Director to enter into an agreement with Paymentus Corporation, for purposes of providing electronic payment processing services to the Board, for an initial term of up to five years with two additional three-year extensions, and committed up to \$8 million of authorized funding for the initial term of the agreement, an amount now with \$3.5 million remaining unspent; and

WHEREAS, on February 22, 2021, in accordance with the Water Board's Policy on the Procurement of Goods and Services, in particular Sections 4, 5.i, and 6, the Board entered into an agreement with Paymentus Corporation for an initial term of five years; and

WHEREAS, the Department of Environmental Protection and the Board's Executive Director have informed the Board of their intent to exercise the first three-year extension option, extending the agreement's term until 2029; it is therefore

RESOLVED, that the Executive Director is hereby authorized and directed to amend the agreement as described in the November 19, 2020 resolution, provided that the aggregate compensation during the sixth to eleventh years of the agreement will not exceed \$12,000,000 of Board funds; and be it further

RESOLVED, that the Board will receive an update on the contract status and the vendor prior to the start of the second extension term in 2029, in the event that the second extension term of the agreement is considered .

Resolution Relating to Billing Discussions Involving Bryant Park Corporation

Commissioner Aggarwala opened the presentation, describing DEP’s efforts to work with large customers to resolve outstanding account balances and characterized the agency’s main goal as one of revenue generation. Deputy Commissioner Albert Kramer presented a summary of the billing configuration with Bryant Park Corporation, describing some of the commercial uses of water occurring at the property and the agency’s focus on ensuring that water consumption is accurately measured, and described the work with Bryant Park as part of the overall effort to bring large billing accounts into good standing. Commissioner Aggarwala described the support of former Deputy Mayor of Operations Meera Joshi in reaching a successful conclusion to the Bryant Park negotiations.

Chairperson Shaw emphasized the value of DEP’s efforts in terms of establishing a fair distribution of the system’s costs. Member Freed praised DEP’s efforts as well, describing the work with Bryant Park Corporation as correcting a technical billing question; Member Tambar asked about the nature of the legal documentation that would record the billing adjustment, with Deputy Commissioner Kramer explaining that drafts of the legal documentation required to finalize the billing adjustment were available. In response to a second question from Member Tambar about the DEP’s key accounts group, Deputy Commissioner Kramer explained that five full-time employees worked in the group with an account list of approximately 800 customers.

Upon a motion duly made and seconded, the minutes were approved unanimously by the members in attendance.

RESOLUTION

WHEREAS, the New York City Department of Environmental Protection (“DEP”) is the billing and customer service agent for the New York

City Water Board (the “Board”), and oversees the issuance and administration of water and wastewater bills and customer relations on behalf of the Board; and

WHEREAS, the Board routinely negotiates with its water and wastewater customers in order to ensure the appropriate metering, billing, and receipt of revenues from customers; and

WHEREAS, the Board previously authorized the Executive Director of the Board by resolution passed on June 17, 2005 (attached as Exhibit 1 hereof) to settle and adjust claims related to water and sewer billing in amounts up to \$1,000,000 per claim; and

WHEREAS, Bryant Park Corporation (“BPC”) is a not-for-profit management company charged with operating Bryant Park in Manhattan, pursuant to a license agreement between the New York City Parks Department (“Parks”) and BPC, dated June 8th, 2018 (the “BPC License Agreement”), and is a customer of the City’s water and wastewater system; and

WHEREAS, pursuant to the BPC License Agreement, BPC is responsible for the internal plumbing of the Park, including ensuring that downstream usage of water within the Park’s internal plumbing is not cross-connected with non-commercial usage on the service line metered by DEP to reflect commercial usage by the commercial concessions in the Park and as shown in DEP’s accounts (the “Bryant Park Commercial Account”); and

WHEREAS, pursuant to the BPC License Agreement, water service provided to Bryant Park for irrigation and permanent public restrooms is the

responsibility of Parks to pay pursuant to the rate paid for City owned property;
and

WHEREAS, in partnership with Parks, BPC disclosed that the commercial water line metered by DEP was cross connected with non-commercial uses within the park such as irrigation, BPC performed plumbing improvements within the Park designed to substantially address the cross connection condition, improvements that were satisfactory to DEP; and

WHEREAS, BPC indicated that it intends to promptly pay for the cost of all water usage recorded and billed by DEP on a prospective basis, including any remaining cross connected water on the commercial line; it is therefore

RESOLVED, that the Board hereby authorizes DEP to enter into negotiations with BPC in connection with the billing accounts related to the Bryant Park Commercial Account and authorizes DEP to adjust that Account in an aggregate amount of up to \$1,500,000 in support of concluding negotiations and achieving the correct metering of the Bryant Park Commercial Account and the prompt payment for future billed charges.

Exhibit 1

RESOLUTION DATED JUNE 17, 2005

WHEREAS, pursuant to Section 1045-v(3) of the New York City Municipal Water Finance Authority Act (the "Act"), the Board has the power to settle or adjust all claims in favor of or against the Board; and

WHEREAS, on August 13, 1992, the Board authorized the Executive Director to act in the name of and on behalf of the Board with respect to the settlement or adjustment of claims in favor of or against the Board which had been filed pursuant to Section 1045-v of the New York City Municipal Water Finance Authority Act or which were pending in a court of competent jurisdiction in amounts up to and including \$25,000 per claim; and

WHEREAS, the Board wishes to amend the August 13, 1992 Resolution; it is therefore

RESOLVED, that the Executive Director is hereby authorized to act in the name of and on behalf of the Board with respect to the settlement or adjustment of personal injury and property damage claims in favor of or against the Board which have been filed pursuant to Section 1045-v of the New York City Municipal Water Finance Authority Act or which are pending in a court of competent jurisdiction in amounts up to and including \$100,000 per claim; and it is further

RESOLVED, that the Executive Director is hereby authorized to act in the name of and on behalf of the Board with respect to the administrative settlement or adjustment of all water and sewer billing disputes; and it is further

RESOLVED, that the Executive Director is hereby authorized to act in the name of and on behalf of the Board with respect to the settlement or adjustment of water and sewer billing claims in favor of or against the Board which have been filed pursuant to Section 1045-v of the New York City Municipal Water Finance Authority Act or which are pending in a court of competent jurisdiction in amounts up to and including \$1,000,000 per claim regarding accounts for premises located either within the City of New York or for

municipalities and water districts located outside the City of New York; and it is further

RESOLVED, that all actions previously taken by the Executive Director with respect to the settlement or adjustment of water and sewer claims in favor of or against the Board are hereby ratified, approved and adopted.

Resolution Involving Billing Discussions with the Metropolitan Transportation Authority

Deputy Commissioner Kramer described progress in working with the MTA to regularize the billing of MTA accounts, describing \$39 million of payments received since June 2022, including \$14 million dollars of payments in fiscal year 2025 and \$10 million during fiscal year 2026 year-to-date. Mr. Kramer explained that the purpose of the resolution is to allow DEP some additional scope for negotiation as part of the normalization of the account’s billing, allowing the adjustment of up to \$3.0 million of charges on the account. Commissioner Aggarwala and Executive Director Moray gave an update on DEP’s investments in metering DEP accounts, and described how the billing conventions used to bill the MTA had developed. In response to a question from Chairperson Shaw and Member Zarrilli about the uses of water in the MTA system, Mr. Kramer explained that the water was mostly used in connection with restroom and cleaning facilities in the stations.

Upon a motion duly made and seconded, the minutes were approved unanimously by the members in attendance.

WHEREAS, the New York City Department of Environmental Protection (“DEP”) is the billing and customer service agent for the New York

City Water Board (the “Board”), and in that capacity oversees the issuance and administration of water and wastewater bills and customer relations on behalf of the Board; and

WHEREAS, the Board routinely negotiates with its water and wastewater customers in order to ensure the appropriate metering, billing, and receipt of revenues from customers; and

WHEREAS, the Board previously authorized the Executive Director of the Board by resolution passed on June 17, 2005 (attached as Exhibit 1 hereof) to settle and adjust claims related to water and sewer billing in amounts up to \$1,000,000 per claim; and

WHEREAS, the Metropolitan Transportation Authority (“MTA”) is a significant customer of the City’s water and wastewater system and an important provider of transportation services to the City’s residents; and

WHEREAS, DEP, the Board, and the MTA previously agreed in a 2002 MOU that, due to engineering complexities unique to the layout and location of the New York City subway system, the MTA would be billed based on a flat rate that was paid and undisputed by MTA until 2019; and

WHEREAS, after the MTA disputed sections of their bill, DEP initiated good-faith negotiations with the MTA in 2023 to create a framework to update the 2002 MOU with metered consumption data; and

WHEREAS, DEP at its own expense completed in 2025 a project to install water meters covering nearly all stations on the “7” and “L” lines of the

subway system to accurately measure water consumption at these facilities in order to inform usage levels of the subway system as a whole; and

WHEREAS, the MTA has reaffirmed its understanding that the agency must pay for water and sewer services in order to ensure the proper functioning of the subway system, and the agency has continued to make payments toward its account balances; and

WHEREAS, DEP, the Board, and the MTA are at the final stages through discussions and negotiations of arriving at a fair adjustment of consumption during the dispute period that cancels the original flat rate billing in favor of bills prepared using data-driven estimates and updated asset counts; and

WHEREAS, DEP and the MTA are working in good faith to amend the 2002 MOU to reflect the changes to the calculation methodology and a renewed spirit of collaboration to reduce the possibility of prolonged billing disputes between both parties; and

WHEREAS, the MTA's water and wastewater billing accounts reflect amounts owed for water and wastewater service, and the satisfactory resolution of the outstanding account balance is a main negotiation issue in the ongoing discussions among the MTA, DEP, and the Board and the satisfactory restoration of the account to good standing through payments by MTA toward the account balance and through billing adjustments to the account balance by DEP, including to the accumulated balance of interest charges, is the mechanism expected to make the account balance current; it is therefore,

RESOLVED, that the Board hereby authorizes DEP to complete negotiations with the MTA and authorizes DEP to adjust the accounts in an aggregate amount of up to \$3,000,000 in support of bringing the MTA's account for the subway system back into good standing and to support and resume years of future prompt payment from an important customer.

Exhibit 1

RESOLUTION DATED JUNE 17, 2005

WHEREAS, pursuant to Section 1045-v(3) of the New York City Municipal Water Finance Authority Act (the "Act"), the Board has the power to settle or adjust all claims in favor of or against the Board; and

WHEREAS, on August 13, 1992, the Board authorized the Executive Director to act in the name of and on behalf of the Board with respect to the settlement or adjustment of claims in favor of or against the Board which had been filed pursuant to Section 1045-v of the New York City Municipal Water Finance Authority Act or which were pending in a court of competent jurisdiction in amounts up to and including \$25,000 per claim; and

WHEREAS, the Board wishes to amend the August 13, 1992 Resolution; it is therefore

RESOLVED, that the Executive Director is hereby authorized to act in the name of and on behalf of the Board with respect to the settlement or adjustment of personal injury and property damage claims in favor of or against the Board which have been filed pursuant to Section 1045-v of the New York City Municipal Water Finance Authority Act or which are pending in a court of

competent jurisdiction in amounts up to and including \$100,000 per claim; and it is further

RESOLVED, that the Executive Director is hereby authorized to act in the name of and on behalf of the Board with respect to the administrative settlement or adjustment of all water and sewer billing disputes; and it is further

RESOLVED, that the Executive Director is hereby authorized to act in the name of and on behalf of the Board with respect to the settlement or adjustment of water and sewer billing claims in favor of or against the Board which have been filed pursuant to Section 1045-v of the New York City Municipal Water Finance Authority Act or which are pending in a court of competent jurisdiction in amounts up to and including \$1,000,000 per claim regarding accounts for premises located either within the City of New York or for municipalities and water districts located outside the City of New York; and it is further

RESOLVED, that all actions previously taken by the Executive Director with respect to the settlement or adjustment of water and sewer claims in favor of or against the Board are hereby ratified, approved and adopted.

Financial and Legislative Update

Deputy Commissioner Kramer presented an update of the status of the City's authority to sell water and wastewater liens. Mr. Kramer explained that the lien sale affects a relatively small number of customers, and that was the case even with the fiscal year 2025 lien sale, the first year since 2019 that the City sold water and wastewater liens, and described the \$180 million revenue impact from the 2025 lien sale along with DEP's success in helping customers to enter payment

agreements to regularize their arrears and exit the lien sale process, stating that the additional lien sale revenues were part of the reason for a lower than forecast fiscal year 2026 rate increase.

Chairperson Shaw remarked that it was important to understand the lien sale revenue contribution in the context of the system's overall financial profile.

Next, Deputy Commissioner Kramer provided an update on recent City Council legislation involving the authority to sell tax liens, including water and wastewater liens, describing the legislation as calling into question how reliably lien sales could be conducted, citing two examples from the legislation which would effectively require reauthorization of the lien sale each year, in place of the previous four-year authorization passed by the Council and establish a very high dollar limit for the sale of eligible tax class one properties. Executive Director Moray explained that DEP was working closely with City Council staff to monitor the legislation, and that Board staff would provide an update on the legislative outcome to the Board.

Commissioner Aggarwala explained that the enforcement value of the lien sale during the notification period was important to DEP and the Board, given the significant accounts receivables balance of DEP customers, with the process resulting in the sale of a small number of tax liens at the conclusion, and described some of the capital projects and regulatory developments the agency was likely to face during the next several years. Chairperson Shaw remarked that it would be important to consider these types of challenges in the context of affordability and the distribution of income.

Findings from the Board's Water Supply Consultant

Commissioner Aggarwala introduced the next agenda item, a summary of the study conclusions from a consulting contract the Board approved at its October 11, 2023 meeting that resulted in retaining AECOM to perform an evaluation of the Kensico Reservoir Basin area and

several of the water supply sources to the Basin. Shilo Williams, Assistant Commissioner for Source Water Protection in DEP's Bureau of Water Supply provided opening remarks, and introduced Laurie Machung, Chief of Natural Resources with the Bureau of Water Supply, who led the presentation.

Ms. Machung described the data gathering involved in the evaluation as comprehensive, and drawing on a wide range of sources which were compiled into a database that helped to guide the project. She describes the focus of the study as including the Kensico watershed basin as well as a buffer region adjacent to the Kensico Reservoir region, and described the study's focus on nineteen sites with the potential presence of PFAS compounds, referring to perfluoroalkyl or polyfluoroalkyl compounds, of which fourteen sites were determined to be low risk sites and five were identified as potentially higher risk sites. Ms. Machung noted that PFAS compounds have never been identified in the water supply drawn from the Kensico Reservoir, nor from the Catskill and Delaware Aqueduct connections flowing into the Reservoir, further noting that the study's work included a modeling component that evaluated water flows into and out of the Reservoir in light of the current and potential future regulatory limits with respect to the potential presence of PFAS compounds in the water flows involving the Reservoir. The modeling work involved evaluating two scenarios, based on assumptions about the water flows and concentration limits, and indicated that under both scenarios the concentration limits established by the U.S. EPA in 2024 were unlikely to be exceeded.

Commissioner Aggarwala explained that there was a degree of regulatory uncertainty with respect to the regulation of PFAS compounds, and that the regulatory approach varied with changes in the federal administration in Washington, DC, adding that one of the regulatory risks associated with PFAS compounds is that above certain regulatory thresholds regulators may

require the construction of filtration assets to remove PFAS compounds. Member Freed asked about DEP's coordination with the State Department of Health in terms of monitoring the presence of PFAS compounds from an aggregate concentration perspective. Commissioner Aggarwala explained that DEP was in communication with the State Department of Health, and that the Department's conduct was also partly influenced by changes of federal administration in Washington, DC, since federal regulators often rely on the State to act as the local regulator of federal requirements, adding that the extent of federal regulatory enforcement delegated to the State regulator appeared to be in the direction of greater reliance on the State.

Adjournment

Commissioner Aggarwala offered his congratulations to Chairperson Shaw on her appointment by Mayor Adams as the Board's chair, acknowledging the contributions of former chairperson Alfonso Carney, who will continue to serve as a regular member of the Board. Commissioner Aggarwala offered some additional comments on DEP's continuing negotiations with respect to the renewal of the City's filtration avoidance determination. In response to a question from Member Hsu about the incoming mayoral administration, Commissioner Aggarwala stated that work with the transition team was still in the early stages. There being no further business to come before the Board, upon motion duly made and seconded, the meeting was adjourned.

/S/
SECRETARY