

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

February 12, 2026

A meeting of the New York City Water Board (the “Board”) was held on Thursday February 12, 2026 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:

Arlene Shaw,

Alfonso Carney,

Adam Freed,

Jukay Hsu,

Richard Miller,

Udai Tambar, and

Daniel Zarrilli.

Members Carney and Freed joined the meeting by videoconference, with Member Carney joining pursuant to the Board’s procedures relating to meeting participation of Board members using videoconferencing or similar technology adopted on February 3, 2025 and participating in the meeting as a member of the quorum, and Member Freed joining the meeting but participating without forming part of the quorum. 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 Lisa Garcia.

Department of Environmental Protection Leadership Announcement

DEP Commissioner Lisa Garcia introduced herself to the Board, following the announcement in January of her appointment as Commissioner by Mayor Mamdani, emphasizing that she would continue DEP's commitment to creating the infrastructure to support a safe environment and the provision of clean drinking water to the City. Commissioner Garcia described her qualifications, including her earlier service as the Region Two administrator at the U.S. EPA and earlier involvement working with environmental justice groups.

Recognition of Alfonso Carney's Service as the Board's Chairman

Chairperson Shaw introduced the next agenda item, a resolution thanking Alfonso Carney for his service as the Board's chairman from 2015 until November 2025. Ms. Shaw praised Mr. Carney's leadership and service as the Board's chair.

Upon a motion duly made and seconded, the resolution was approved unanimously by the six members of the quorum.

Approval of the Minutes

The next item on the agenda was approval of the minutes of the Board's previous meeting held on December 4, 2025. Upon a motion duly made and seconded, the minutes were approved unanimously by five of the six members of the quorum, with Member Miller abstaining from the voting since he had not attended the December 4 meeting.

Authorization to Contract with the Fuse Corp for the 2026 Program Cycle

Executive Director Moray presented the next agenda item to the Board, a proposed contract for consulting services with the Fuse Corp, describing Fuse as a nonprofit organization that connects midcareer professionals with opportunities for government service. Ms. Moray explained that the request to the Board included funding for two Fuse fellows, with the intention of retaining one of the Fuse fellows who assisted DEP and the Water Board under a previous Board agreement.

The continuing Fuse fellow would perform work similar to the tasks performed under the earlier Fuse agreement, particularly assisting DEP's bureaus with expense management and including the use of expense management software to help manage expenses. The work of second Fuse fellow under the proposed consulting agreement would focus on the approaches taken by DEP's Bureau of Customer Services toward communications with DEP and the Board's customers, including making further use of DEP's billing system to support revenue collection efforts. Ms. Moray stated that the expected cost of the two fellows under the new agreement with Fuse would be \$330,000 for both fellows.

Upon a motion duly made and seconded, the resolution was approved unanimously by the six members of the quorum.

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, the safe and reliable operation of the System by the New York City Department of Environmental Protection (“DEP”) is a prerequisite to providing the water and wastewater service that generates the revenues used to fund the System; and

WHEREAS, DEP has requested that the Board assist in the agency’s effort to obtain the technical, managerial, and professional staff required to administer the agency and its operating bureaus, and to obtain such supplemental expertise from professionals with previous professional experience in areas relevant to DEP and where the agency has identified an institutional need for the assistance of such skilled professionals; and

WHEREAS, DEP and the Board have identified Fuse Corps as a uniquely qualified organization, with expertise in identifying professionals suitable for government administration with relevant technical expertise in areas such as project management, management information systems, performing strategic assessments for senior leaders, and with experience in assisting early and mid-career professionals with the transition from the private sector to the public sector, and wish to authorize the Board’s officers to negotiate suitable and mutually agreeable terms with Fuse Corp, conducted in accordance with the Water Board’s Policy on the Procurement of Goods and Services, in particular, Section 5.i and Section 6; and

WHEREAS, the Board previously at its November 6, 2023 and December 9, 2024 meetings authorized separate funding allocations for participation in earlier program cycles with the Fuse Corps, it is therefore

RESOLVED, that the Board’s officers are hereby authorized and directed to negotiate a definitive legal agreement with Fuse Corp for up to a two-year

term, upon such other terms and conditions as the officers may deem reasonable and appropriate; and be it further

RESOLVED, that the aggregate compensation authorized and payable to Fuse Corp pursuant to this agreement will not exceed \$350,000 during the term of the agreement, a maximum funding authorization reflecting all projects, fellows, and assignments agreed to pursuant to the agreement.

Chairperson Shaw proceeded to introduce the next five agenda items, items 6 through 10 on the Board's agenda, each of the items involving the release of a property interest related to the water and sewer system from the Board's leasehold on the water and sewer system's assets. Executive Director Moray explained the process for evaluating real property matters involving the Board's lease of the system's property, describing the involvement of DEP's bureaus, including DEP's Bureau of Legal Affairs, and the involvement of the City's Law Department, as well as the role of the Board's consulting engineers. Secretary Moore described the authorities included in the Board's lease, explaining that the Board had policies and procedures relating to the acquisition and disposition of leased property, and summarized the City's practices involving assessing the likelihood of the future need for an asset prior to the transfer of the asset. Ms. Moray added some additional comments about evaluating the alteration of easements under the Board's lease. Member Tambar mentioned that he found his review of the presentation materials on DEP's groundwater system from the September 8, 2025 Board meeting to be helpful in understanding the groundwater leasehold item on the agenda.

The Board proceeded to vote to approve the five resolutions listed below. Upon a motion duly made and seconded, the five resolutions listed below, agenda items 6 to 10 on the meeting's agenda, were approved unanimously by the six members of the quorum.

Release from the Board’s Leasehold of an Easement Located at 939 East 138th Street, Bronx

The voting by the Board’s six voting members present at the meeting approved the first of the five resolutions.

RESOLUTION

WHEREAS, pursuant to an indenture dated June 15, 1976, the City of New York (“City”) received an easement on a section of the property located along parts of Block 2597, Lots 1, 41, and 70 corresponding to the street addresses locations of 939 East 138 Street, 290 Locust Avenue, and 302 Locust Avenue in the Bronx, respectively, including (the “Easement” and the “Property,” respectively); and

WHEREAS, the Easement was given to the City in connection with a City-owned water main located at the Property; and

WHEREAS, the property’s owner Sprague Operating Resources, LLC has requested that the City and the Board take steps to allow the cancelation of the easement, in order to allow for the expansion of the area available for placing assets related to the operation of the business located at the Property, including fueling racks, pipes, and associated equipment; and

WHEREAS, the water main was constructed for purposes of providing water supply to North Brothers Island, a water supply connection that is now maintained through a separate connection located along East 140th Street; and

WHEREAS, it is anticipated that the sections of the Property located along 138th and 139th Streets between Locust Avenue and East River will be de-mapped, in order to permit the expanded use of the property for business-related purposes; and

WHEREAS, pursuant to Section 11.1(d) of the Lease between the City and Board, dated July 1, 1985, the City may, with the prior written consent of the Board, including receipt of a certificate signed by the Board's Consulting Engineer, dispose of real property covered by the Lease, as long as the conveyance does not materially adversely affect the revenues of the City's water or sewer system or impair the ability of the Board to make any payments required by the Lease or any other agreement to which the Board or City may be bound; and

WHEREAS, the Board received an opinion letter dated January 16, 2026 from the Board's Consulting Engineers at AECOM and Macan Deve indicating that the release of the easement would not adversely impact the operation or financial profile of the water and wastewater system; and

WHEREAS, a diagram of the easement is attached to this resolution as an appendix; and

WHEREAS, it is the judgment of the Board that the release of the easement from the Board's leasehold will not interfere with the operation and maintenance of the City's water or sewer system or the collection of revenues from the system, it is therefore

RESOLVED, that, pursuant to Section 11.1(d)(i) of the Lease, the Board hereby releases its leasehold interest in the conveyed property; and be it further

RESOLVED, that the officers of the Board be, and each of them hereby is authorized and empowered, in the name and on behalf of the Board, to grant such consent and to take such other and further actions as the officers or any officer deems necessary or appropriate to effectuate the foregoing resolution.

Release from the Board’s Leasehold of an Easement Located at 280 East 161st Street, Bronx

The voting by the Board’s six voting members present at the meeting approved the second of the five resolutions.

RESOLUTION

WHEREAS, a combined sewer was constructed in 1895 along 160th Street, Bronx; and

WHEREAS, as the result of a 1972 demapping of a portion of 160th Street, Bronx, the City received easements in order to facilitate access to the sewer, such easements located at 280 East 161st Street, Bronx, between Concourse Village East and Morris Avenue in Block 2420, Lots 130 and 150 (the “Easements” and the “Property,” respectively); and

WHEREAS, the Property’s owner Morrisania Development Housing Development Fund Co. has requested that the City and the Board take steps to allow the termination of the Easements, in order to allow for the construction of

two multifamily affordable housing buildings which it is expected will be constructed above the existing sewer; and

WHEREAS, while the sewer line was originally constructed for purposes of conveying both sanitary sewage and stormwater, the sewer whose access the Easements was designed to facilitate now conveys only stormwater, and it is anticipated that as part of the new residential development at the location, new stormwater assets will be constructed to replace this sewer; and

WHEREAS, the sewer serves the properties located on the lot, without any connections from properties located on adjacent lots, and the new buildings will not utilize this sewer; and

WHEREAS, pursuant to Section 11.1(d) of the Lease between the City and Board, dated July 1, 1985, the City may, with the prior written consent of the Board, including receipt of a certificate signed by the Board's Consulting Engineer, dispose of real property covered by the Lease, as long as the conveyance does not materially adversely affect the revenues of the City's water or sewer system or impair the ability of the Board to make any payments required by the Lease or any other agreement to which the Board or City may be bound; and

WHEREAS, the Board received an opinion letter dated January 16, 2026 from the Board's Consulting Engineers at AECOM and Macan Deve indicating that the release of the easement would not adversely impact the operation or financial profile of the water and wastewater system; and

WHEREAS, a diagram of the easement is attached to this resolution as an appendix; and

WHEREAS, it is the judgment of the Board that the release of the easement from the Board's leasehold will not interfere with the operation and maintenance of the City's water or sewer system or the collection of revenues from the system, it is therefore

RESOLVED, that, pursuant to Section 11.1(d)(i) of the Lease, the Board hereby releases its leasehold interest in the Easements; and be it further

RESOLVED, that the officers of the Board be, and each of them hereby is authorized and empowered, in the name and on behalf of the Board, to grant such consent and to take such other and further actions as the officers or any officer deems necessary or appropriate to effectuate the foregoing resolution.

Modification of an Easement in Connection with a ConEdison Development near Marshall Street in the Vinegar Hill Section of Brooklyn

The voting by the Board's six voting members present at the meeting approved the third of the five resolutions.

RESOLUTION

WHEREAS, pursuant to an indenture dated September 23, 1986, the City of New York ("City") retained two easements, a permanent and perpetual easement for sewer, water main, and utility purposes generally in the de-mapped portions of Gold Street ("Easement 1"), and a second permanent and perpetual

easement for sewer, water main, and utility purposes generally in the de-mapped portions of Hudson Avenue (“Easement 2”), in the Vinegar Hill section of Brooklyn in property owned by Consolidated Edison Company of New York, Inc. (“ConEdison”) (Easement 1 and Easement 2, collectively, the “Easements”); and

WHEREAS, ConEdison subsequently joined lots in the vicinity of the Easements, such that the de-mapped portions of Gold Street and Hudson Avenue, where the Easements are located, are now all part of Block 5, Lot 1, which also includes the block bounded by Gold Street, Hudson Avenue, Marshall Street and the bulkhead line (the “Property”); and

WHEREAS, the Easements were retained by the City in connection with City-owned water and sewer mains located at the Property; and

WHEREAS, ConEdison has requested that the City and the Board take steps to allow for the modification of Easement 2, in order to allow for the development of the Property in connection with the generation and transmission of wind-generated electricity; and

WHEREAS, the proposed modification to Easement 2 would involve releasing part of Easement 2 from the Board’s leasehold, in order to allow for development of the site to expand into the released section of the lot, with the modified easement formed by an angle of approximately 135 degrees, in place of the current angle of approximately 90 degrees, as shown in the appendix; and

WHEREAS, pursuant to Section 11.1(d) of the Lease between the City and Board, dated July 1, 1985, the City may, with the prior written consent of the

Board, including receipt of a certificate signed by the Board's Consulting Engineer, dispose of real property covered by the Lease, as long as the conveyance does not materially adversely affect the revenues of the City's water or sewer system or impair the ability of the Board to make any payments required by the Lease or any other agreement to which the Board or City may be bound; and

WHEREAS, the Board received an opinion letter dated December 16, 2025 from the Board's Consulting Engineers at AECOM and Macan Deve indicating that the release of a portion of Easement 2 would not adversely impact the operation or financial profile of the water and wastewater system; and

WHEREAS, a diagram of the Property, including Easements 1 and 2, is attached to this resolution as an appendix; and

WHEREAS, it is the judgment of the Board that the release of a portion of Easement 2 from the Board's leasehold will not interfere with the operation and maintenance of the City's water or sewer system or the collection of revenues from the system, it is therefore

RESOLVED, that, pursuant to Section 11.1(d)(i) of the Lease, the Board hereby releases its leasehold interest in the conveyed property; and be it further

RESOLVED, that the officers of the Board be, and each of them hereby is authorized and empowered, in the name and on behalf of the Board, to grant such consent and to take such other and further actions as the officers or any officer deems necessary or appropriate to effectuate the foregoing resolution.

Release from the Board’s Leasehold of an Easement in the Vicinity of 86 East 49th Street, Brooklyn in Connection with Development Involving the Kingsbrook Jewish Medical Center

The voting by the Board’s six voting members present at the meeting approved the fourth of the five resolutions.

RESOLUTION

WHEREAS, pursuant to an indenture dated May 23, 1949, the City of New York (“City”) received an easement on a section of property located at 86 East 49th Street between Rutland Road and Winthrop Street in Brooklyn, Block 4602, Lot 1 (the “Easement” and the “Property,” respectively) owned at the time by the Jewish Sanitarium and Hospital for Chronic Diseases, a predecessor entity of the Kingsbrook Jewish Medical Center (“Kingsbrook”); and

WHEREAS, the Easement was given to the City in connection with a City-owned water main located at the Property; and

WHEREAS, Kingsbrook has requested that the City and the Board take steps to allow the termination of the Easement in order for Kingsbrook to complete development work at the Property; and

WHEREAS, the water main and the associated connections located along the path of the Easement will be removed from the Property and any impacted structures will be reconnected to existing City water mains located in the streets surrounding the Property; and

WHEREAS, pursuant to Section 11.1(d) of the Lease between the City and Board, dated July 1, 1985, the City may, with the prior written consent of the Board, including receipt of a certificate signed by the Board's Consulting Engineer, dispose of real property covered by the Lease, as long as the conveyance does not materially adversely affect the revenues of the City's water or sewer system or impair the ability of the Board to make any payments required by the Lease or any other agreement to which the Board or City may be bound; and

WHEREAS, the Board received an opinion letter dated December 16, 2025 from the Board's Consulting Engineers at AECOM and Macan Deve indicating that the release of the Easement would not adversely impact the operation or financial profile of the water and wastewater system; and

WHEREAS, a diagram of the easement is attached to this resolution as an appendix; and

WHEREAS, it is the judgment of the Board that the release of the Easement from the Board's leasehold will not interfere with the operation and maintenance of the City's water or sewer system or the collection of revenues from the system, it is therefore

RESOLVED, that, pursuant to Section 11.1(d)(i) of the Lease, the Board hereby releases its leasehold interest in the Easement; and be it further

RESOLVED, that the officers of the Board be, and each of them hereby is authorized and empowered, in the name and on behalf of the Board, to grant such

consent and to take such other and further actions as the officers or any officer deems necessary or appropriate to effectuate the foregoing resolution.

Release from the Board’s Leasehold of Queens Block 9962, Lot 89, the Location of Groundwater Well Station 37

The voting by the Board’s six voting members present at the meeting approved the fifth of the five resolutions.

RESOLUTION

WHEREAS, in 1996, the City of New York acquired the assets of the Jamaica Water Supply Company that were located in Queens County, New York, with such assets including the assets involved in the access of groundwater supply, in particular a portfolio of groundwater wells and the associated landholdings; and

WHEREAS, the City’s water supply continues to be supplied from water sources located north of the City, in particular the Catskill, Delaware, and Croton watershed systems, with the City relying on water conveyed from these watersheds; and

WHEREAS, the groundwater wells and associated landholdings involve ongoing operational costs for the repair and maintenance of the assets, including the time and expense of Department of Environmental Protection personnel involved with managing the assets, and would require significant capital

investment prior to drawing water from the groundwater supply into the water supply system; and

WHEREAS, the City wishes to use the landholdings associated with the groundwater wells for public purposes, including converting landholdings for public benefit such as park space or making land available for residential development; and

WHEREAS, the City has identified Well Station 37, located at 87-74 Chevy Chase Street, Jamaica Estates, Queens and occupying Block 9962, Lot 89 as suitable for transfer to the City's Department of Parks and Recreation, in connection with the rezoning of sections of the Jamaica neighborhood in Queens, for purposes of expanding the availability of public amenities in the neighborhood; and

WHEREAS, pursuant to Section 11.1(d) of the Lease between the City and Board, dated July 1, 1985, the City may, with the prior written consent of the Board, including receipt of a certificate signed by the Board's Consulting Engineer, dispose of real property covered by the Lease, as long as the conveyance does not materially adversely affect the revenues of the City's water or sewer system or impair the ability of the Board to make any payments required by the Lease or any other agreement to which the Board or City may be bound; and

WHEREAS, the Board received an opinion letter dated February 5, 2026 from the Board's Consulting Engineers at AECOM and Macan Deve indicating that the release of the landholding and assets associated with Well Station 37

would not adversely impact the operation or financial profile of the water and wastewater system; and

WHEREAS, a diagram of the lot is attached to this resolution as an appendix; and

WHEREAS, it is the judgment of the Board that the release of the landholding from the Board's leasehold will not interfere with the operation and maintenance of the City's water or sewer system or the collection of revenues from the system, it is therefore

RESOLVED, that, pursuant to Section 11.1(d)(i) of the Lease, the Board hereby releases its leasehold interest in the conveyed property; and be it further

RESOLVED, that the officers of the Board be, and each of them hereby is authorized and empowered, in the name and on behalf of the Board, to grant such consent and to take such other and further actions as the officers or any officer deems necessary or appropriate to effectuate the foregoing resolution.

Adjournment

There being no further business to come before the Board, upon motion duly made and seconded, the meeting was adjourned.

/S/
SECRETARY