

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

September 8, 2025

A meeting of the New York City Water Board (the “Board”) was held on Monday September 8, 2025 at 255 Greenwich Street, Manhattan, New York in the 6th floor conference room 6-SE1, beginning at approximately 8:30 a.m. The following members of the Board attended the meeting:

Alfonso Carney,

Adam Freed,

Arlene Shaw, and

Daniel Zarrilli

constituting a quorum. Chairman Carney chaired the meeting and joined by videoconference 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.

Approval of the Minutes

The first item on the agenda was approval of the minutes of the Board’s previous meeting held on June 6, 2025. Member Freed requested that the minutes include additional reference to the concern of members regarding the City’s request of the rental payment from the Board. Upon a motion duly made and seconded, the minutes were approved unanimously by the members, subject to the requested revision regarding the rental payment.

Negotiations Involving Water Supply from Silver Lake Reservoir

Executive Director Moray introduced the next agenda item to the Board, explaining that there is a golf course located in Staten Island that is located on land owned by the City's Parks Department and operated by a concessionaire. The golf course is located in the vicinity of Silver Lake Reservoir, and water drawn from the reservoir is available for some of the water supply at the golf course. Ms. Moray further explained that ground water supply may also become available as an additional water supply source and that the mix of sources available to the golf course is the subject of ongoing negotiations, adding that a study of the availability of groundwater to supply the course is expected to be prepared to assist the negotiations and agree on a billing approach for water use at the course. Members Zarrilli and Shaw clarified that Reservoir water supply would be unavailable while construction took place at the location, and that a billing approach for water drawn from City water supply sources would be agreed to through the negotiations. Commissioner Aggarwala described some of the operational dynamics involving the Reservoir, in particular describing that the required quantity of water stored in the reservoir could be influenced by the quantity of water drawn from the Reservoir to supply the golf course site. Executive Director Moray indicated that, provided the negotiations remained within the bounds of the resolution, the staff would have the authority to conclude negotiations and, in the event that an amendment to the negotiating parameters was required, that staff would return to brief the Board.

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

RESOLUTION

WHEREAS, the NYC Department of Parks and Recreation (“Parks”) and Silver Lake Golf, LLC (the “Concessionaire”) are parties to a License Agreement, dated September 9, 2021 (the “License Agreement”), in connection with the Concessionaire’s maintenance and operation of the Silver Lake Golf Course (the “Golf Course”) in Silver Lake Park (the “Park”) located at 915 Victory Boulevard, Staten Island, New York;

WHEREAS, section 9.1 of the License Agreement provides that the Concessionaire “will be required to pay for any and all utility costs connected with its operations” at the Golf Course, that “[t]hese utility costs include, but are not limited to, electricity as well as paying all water and sewer charges that [the City’s Department of Environmental Protection (“DEP”)] ... assesses for water usage[.]” and that the Concessionaire “shall adhere to all DEP directives and restrictions regarding drought and water conservation issues during the Term[.]”

WHEREAS, notwithstanding the terms of the License Agreement, Concessionaire has been irrigating the Golf Course by drawing water from the Silver Lake Reservoir (“Reservoir”), which is located within the Park;

WHEREAS, DEP has the ability to fill the Reservoir through connections to the City’s Upstate Watershed reservoirs, and the Concessionaire uses a connection to the Reservoir to irrigate the Golf Course (the “Concessionaire’s Intake”);

WHEREAS, use of the Concessionaire’s Intake to draw water requires that DEP maintain the Reservoir’s water level at a sufficiently high level;

WHEREAS, in addition to the Concessionaire being able to irrigate the Golf Course using water drawn from the Reservoir, there is also a separate, metered water line served by the DEP distribution system that can be used for irrigation purposes (the “Irrigation Line”);

WHEREAS, on or about August 14, 2024, DEP upgraded the meter on the Irrigation Line from a 4-inch to a 6-inch meter to accommodate additional flow;

WHEREAS, DEP is expected to take the Reservoir offline for a construction project that will evaluate outlet works and repair or replace structures and equipment as needed to provide required reservoir drawdown capability, which will require one or more periods during which the Reservoir is fully or partially drained, currently expected to include, but not be limited to, October 2026 to September 2028, dates subject to change (the period commencing upon the date of DEP’s initial drawdown of the Reservoir in connection with the construction project through the date when DEP certifies to Parks and the Concessionaire that the construction project is completed shall be known as the “DEP Reservoir Drawdown Period”);

WHEREAS, during the DEP Reservoir Drawdown Period, the Concessionaire will not be able to draw water from the Reservoir for purposes of irrigating the Golf Course;

WHEREAS, the Concessionaire’s continuing use of the Reservoir to irrigate the Golf Course is expected to conform to the Water and Wastewater Rate Schedule (the “Rate Schedule”) promulgated by the New York City Water Board (the “Water Board”);

WHEREAS, DEP recognizes the unique circumstances that have led to the Concessionaire's use of Reservoir water to irrigate the Golf Course and seeks to transition the Concessionaire to a non-City water source or paid connection; and

WHEREAS, the Water Board recognizes that Parks, DEP, and the Concessionaire have been in discussions to resolve the irrigation issue at the Golf Course (the "Silver Lake Golf Course Irrigation Issue"); it is hereby

RESOLVED, that DEP is hereby authorized to negotiate a resolution of the Silver Lake Golf Course Irrigation Issue, under the following framework to guide negotiation of the final definitive legal agreement:

I. Groundwater Wells

1. Parks has indicated it will undertake a feasibility study to determine whether one or more groundwater wells (the "Groundwater Wells") may be constructed in Silver Lake Park sufficient to provide irrigation for the Golf Course, and should issue its conclusion to DEP on the results of the feasibility study.

2. If the results of the feasibility study establish that construction of Groundwater Wells is viable in Silver Lake Park, Parks and/or the Concessionaire should use best efforts to construct the Groundwater Wells so that they will be operational before October 2026, subject to conformity with applicable law and regulation.

3. DEP should use reasonable efforts to provide expedited review of the Groundwater Wells once plans are submitted to DEP to evaluate if the proposed drilling or excavation may require a DEP permit pursuant to Chapter 57 of the Rules of the City of New York, and, where appropriate, assist Parks with obtaining any

required approvals of the Groundwater Wells from the New York State Department of Environmental Conservation, to the extent practical and consistent with DEP's subject matter expertise.

4. If the results of the feasibility study establish that construction of Groundwater Wells is not viable in Silver Lake Park, Parks and the Concessionaire should work jointly to identify and implement an alternative irrigation solution or agree to irrigate through a metered connection on the Irrigation Line and the Concessionaire shall pay the associated water bills.

II. Irrigation Line

5. On or before December 31, 2025, the Concessionaire should install a back flow prevention device (an "RPZ") on the Irrigation Line.

6. The costs and expense of any internal plumbing upgrades required for the Irrigation Line to be made suitable for irrigation purposes should be the responsibility of the Concessionaire and/or Parks, and not DEP.

7. If the Groundwater Wells are not expected to be operational before the DEP Reservoir Drawdown Period, Parks and/or the Concessionaire should be prepared to consider the Irrigation Line and any necessary internal plumbing improvements sufficient to irrigate the Golf Course during the DEP Reservoir Drawdown Period.

III. Irrigation Source

8. Until the DEP Reservoir Drawdown Period commences, the Concessionaire should be permitted to continue irrigating the Golf Course by drawing water from the Reservoir via the Concessionaire's Intake.

9. Until the DEP Reservoir Drawdown Period commences, DEP should make reasonable efforts to keep the Reservoir at a level sustainable for irrigation via the Concessionaire's Intake, unless DEP determines that it cannot do so because of emergency or drought.

10. The Concessionaire should be permitted to continue to draw water from the Reservoir until the earlier of (a) the completion of construction of the Groundwater Wells; or (b) March 2029 if the Groundwater Wells remain actively under construction.

11. On or before September 1, 2028, Parks should determine whether, in lieu of the continuing irrigation of the Golf Course through use of the Groundwater Wells, it is preferable for the responsibility for irrigation to shift from the Concessionaire to Parks. If Parks determines that such switch is preferable, it should (a) amend the License Agreement, and (b) seek approval from the City's Office of Management and Budget to place the Irrigation Line on the City Charge.

12. To the extent the Groundwater Wells are not feasible, unless the responsibility for irrigation of the Golf Course has been shifted to Parks, upon the refilling of the Reservoir after the DEP Reservoir Drawdown Period, DEP should continue to issue bills to the Concessionaire for water usage both from the Concessionaire's Intake and the Irrigation Line at standard rates as provided for in the Water Board's then applicable Rate Schedule, but such charges may be limited to water usage only (*i.e.*, there should not be any corresponding charge for wastewater service).

13. After the DEP Reservoir Drawdown Period, DEP shall keep the Reservoir at operationally necessary levels and not take specific action to keep the Reservoir at a level sustainable for irrigation via the Concessionaire's Intake.

14. DEP, Parks, and the Water Board will generally agree to work together to ensure that billing on the account reflects actual water and wastewater usage, consistent with the Board's Rate Schedule.

Bureau of Customer Services Key Accounts and Collection Activities

DEP's Deputy Commissioner of Customer Services (BCS) Albert Kramer presented the next agenda item to the Board, an update to the Board on how BCS collects revenue and works with water and wastewater customers. Deputy Commissioner Kramer described the recent lien sale that resulted in an additional \$160 million of customer revenues and new customer payment agreements for \$172 million of customer balances. The additional revenues from the lien sale helped the Board to adopt a lower rate increase for Fiscal Year 2025 of 3.7%, compared to the previously forecast 8.5%. Mr. Kramer noted that although more customers received lien sale notices than in previous lien sales, fewer liens were sold in the transaction than in earlier lien sales, due in part to BCS' efforts to work with customers, such as knocking on doors to properties. Mr. Kramer described DEP's water shut-off program, noting that water shut-offs are an available enforcement tool for single-family residences, a category that is exempt from the lien sale, and adding that most water shut-off notices do not result in water shut-offs.

Mr. Kramer proceeded to describe BCS' work with an outside law firm and the City's Law Department, a program that has resulted in \$8 million of additional revenues to the system. Mr. Kramer presented the Board with a table describing progress in managing the delinquent

balances of DEP's largest customers, noting that total accounts receivable was now \$98 million, compared to \$103 million in 2022. Mr. Kramer described how BCS' efforts had resulted in progress with several of DEP's largest institutional accounts, and identified DEP's partnership with the City's Housing Preservation and Development department as especially productive. Member Shaw praised BCS' efforts, in particular efforts involving JFK Airport.

Mr. Kramer described some of the Bureau's efforts to streamline operations as part of the creation of a key accounts group with specialization in working with certain types of customers. Member Freed praised BCS' efforts to collect revenue from customers, stating that revenues remained a challenge at many utilities around the country and that the positive revenue outlook was something the Board was pleased to hear. Commissioner Aggarwala echoed the remarks, describing the Bureau of Customer Services as more effective than it had ever been. Mr. Aggarwala provided the Board with his perspective on the lien sale, describing the Fiscal Year 2025 lien sale as a positive development for the water and sewer system's finances, and adding that the system would benefit from an additional lien sale during the next year to address the accounts which continue to have outstanding overdue balances. Mr. Freed described his perspective on the lien sale as a last resort collection method, and asked staff to let the Board know if the Board could be of assistance in discussions or planning involving the lien sale.

Queens Groundwater Water Supply

Executive Director Moray introduced the next agenda item, a briefing of a collection of DEP assets located in Queens and connected to the Long Island groundwater system. Commissioner Aggarwala led the presentation, describing the former Jamaica Water Supply assets in Queens which allow access to Long Island's groundwater supply.

Commissioner Aggarwala described the groundwater system sites in southeast Queens as

scattered throughout the area, an arrangement that contributes to the ongoing expense of maintaining the sites. Commissioner Aggarwala summarized several discussions and studies which led DEP to conclude that it is unlikely that the City would rely on water from the Long Island ground supply, proceeding to note that although the City does not utilize water from the wells, there is an ongoing expense to maintain the well sites.

Mr. Aggarwala described DEP's thinking with respect to the well sites, indicating that DEP planned to present the well sites to the Board at upcoming Board meetings to request authorization to transfer sites to the City's Department of Citywide Administrative Services, adding that there may be at least one case where transferring a site directly to the City's Parks Department may be the recommended approach. Member Freed ask if Board staff could provide an estimate of the total size of the lots comprising the groundwater system measured in acres.

Adjournment

Chairman Carney concluded the meeting with comments that he was considering whether it would be appropriate to continue to serve as the Board's chair, noting that he had enjoyed serving as the chair and would want to remain on the Board after his time as chairman had ended. There being no further business to come before the Board, upon motion duly made and seconded, the meeting was adjourned.

_____/S/
SECRETARY