

**WATER AUTHORITY OF WESTERN NASSAU COUNTY
Minutes of the Meeting of April 25, 2011**

Location: 58 South Tyson Avenue, Floral Park

Attendance: John E. Ryan Chairman
George Bakich Town of Hempstead
Chris Gorman Village of Stewart Manor
Dominic Longobardi Village of Floral Park
Arlene McMullan Village of South Floral Park
Susan Powderly Village of Bellerose
Marianna Wohlgemuth Town of North Hempstead

Absent: Herbert Brown Village of Garden City
Aly Kayne Town of Hempstead
Reid Sakowich Village of New Hyde Park

Legal Counsel: Dominick Minerva, Jr. – Minerva & D’Agostino, P.C.

Water Authority: M. Tierney, Superintendent, J. Conroy, Treasurer, J. Varley, Director of Human Resources, J. Corbisiero, Director of Plant Operations.

The meeting was called to order at 7:35 PM by J. Ryan who asked C. Gorman to lead the salute to the flag.

#100/10/11 Motion by M. Wohlgemuth seconded by G. Bakich to approve the Minutes of
Approval of the Meeting of March 28, 2011. Open for discussion.
Minutes Vote: For: 6 Against: 0 Abstentions: 0 The minutes were unanimously approved
as distributed.

Treasurer’s Report: Mr. Conroy presented the Treasurer’s Report for the period 3/1/11
through 3/31/11. Mr. Conroy and Mr. Tierney addressed questions from the Board members.

Resolution Motion by M. Wohlgemuth seconded by C. Gorman to approve and pay the
#101/10/11 outstanding Accounts Payable warrants for the period 3/1/11 thru 3/31/11 in the
Approval of amount of \$1,335,654.88. Open for discussion. Mr. Tierney responded to
Warrants questions from Board members.
Vote: For: 6 Against: 0 Abstentions: 0 Motion unanimously carried.

Resolution Motion by D. Longobardi seconded by A. McMullan to approve capital
#102/10/11 expenditure items of the warrants from the Citibank Capital Reserve fund in the
Bond Fund amount of \$180,639.42 Open for discussion.
Account Vote: For: 6 Against: 0 Abstentions: 0 Motion unanimously passed.

Superintendent's Report: Mr. Tierney reported on the status of the Water Authority as of April 21, 2011. Mr. Tierney responded to questions from Board members.

Attorney's Report:

Resolution #103/10/11 Pollution Liability Policy Motion by M. Wohlgemuth seconded by D. Longobardi to table the resolution concerning Pollution Liability Policy to the May meeting. Open for discussion. Mr. Faccibene will put together documentation in support of the request for this policy and the accompanying premium cost.
Vote: For: 6 Against: 0 Abstentions: 0 Resolution tabled.

Resolution #104/10/11 General Construction WHEREAS, the Board of Directors of the Water Authority of Western Nassau County (hereinafter "Water Authority") by public notice duly published according to law, invited sealed bid proposals for a contract, namely "Contract G - General Construction" in connection with construction of the Water Authority's project to construct two (2) iron removal facilities; and

WHEREAS, all such bid proposals received were opened and read publicly by the Water Authority of Western Nassau County, 58 South Tyson Avenue, Floral Park, New York, on the 19th day of April 2011, at 10:30 o'clock A.M., the time and place specified in the public notice; and

WHEREAS, upon review of the bid proposals received by the Water Authority of Western Nassau County, a written recommendation was sent to the Board of Directors by Dennis Kelleher of H2M Group, consulting engineers to the Water Authority of Western Nassau County, stating that R.J. Industries, Inc. was the lowest responsible bidder, including the total base bid and contingency items G1 and G2, meeting the bid specifications and recommending award of the contract thereto; and

WHEREAS, the Board of Directors of the Water Authority of Western Nassau County has determined that R.J. Industries, Inc. is the lowest responsible bidder meeting the bid specifications and that it is in the best interests of the Water Authority to accept its total base bid and contingency items G1 and G2;

NOW THEREFORE, upon motion of D. Longobardi, seconded by M. Wohlgemuth,

BE IT RESOLVED, that the total base bid and contingency items G1 and G2 proposal of R.J. Industries, Inc. be and the same is hereby accepted; and be it

FURTHER RESOLVED, that the Chairman of the Water Authority of Western Nassau County be and hereby is authorized to execute a contract with R.J. Industries, Inc. to perform the General construction of the iron removal facilities, in the amount of \$2,391,423.00, including the contingency items G1 and G2, in accordance with the bid specifications for said contract.

Open for discussion. Roll call vote.

Town of Hempstead	26.4	Aye
Town of Hempstead	26.4	Absent
Village of Floral Park	17.0	Aye
Village of New Hyde Park	11.2	Absent
Town of North Hempstead	12.4	Aye
Village of Stewart Manor	2.4	Aye
Village of Bellerose	1.5	Aye
Village of South Floral Park	1.4	Aye
Village of Garden City	<u>1.3</u>	Absent
TOTAL	61.1	

Motion unanimously carried.

Resolution #105/10/11 Plumbing & Mechanical Construction WHEREAS, the Board of Directors of the Water Authority of Western Nassau County (hereinafter “Water Authority”) by public notice duly published according to law, invited sealed bid proposals for a contract, namely, “Contract P - Plumbing and Mechanical Construction” in connection with construction of the Water Authority’s project to construct two (2) iron removal facilities; and

WHEREAS, all such bid proposals received were opened and read publicly by the Water Authority of Western Nassau County, 58 South Tyson Avenue, Floral Park, New York, on the 19th day of April 2011, at 10:30 o’clock A.M., the time and place specified in the public notice; and

WHEREAS, upon review of the bid proposals received by the Water Authority of Western Nassau County, a written recommendation was sent to the Board of Directors by Dennis Kelleher of H2M Group, consulting engineers to the Water Authority of Western Nassau County, stating that R.J. Industries, Inc. was the lowest responsible bidder, including the total base bid and contingency item P1, meeting the bid specifications and recommending award of the contract thereto; and

WHEREAS, the Board of Directors of the Water Authority of Western Nassau County has determined that R.J. Industries, Inc. is the lowest responsible bidder meeting the bid specifications and that its in the best interests of the Water Authority to accept its total base bid and contingency item P1;

NOW THEREFORE, upon motion of M. Wohlgemuth, seconded by C. Gorman,

BE IT RESOLVED, that the total base bid and contingency item P1 proposal of R.J. Industries, Inc. be and the same is hereby accepted; and be it

FURTHER RESOLVED, that the Chairman of the Water Authority of Western Nassau County be and hereby is authorized to execute a contract with R.J. Industries, Inc. to perform the Plumbing and Mechanical construction of the iron removal facilities, in the amount

of \$2,481,100.00, including the contingency item P1 and in accordance with the bid specifications for said contract.

Open for discussion. Roll call vote.

Town of Hempstead	26.4	Aye
Town of Hempstead	26.4	Absent
Village of Floral Park	17.0	Aye
Village of New Hyde Park	11.2	Aye
Town of North Hempstead	12.4	Absent
Village of Stewart Manor	2.4	Aye
Village of Bellerose	1.5	Aye
Village of South Floral Park	1.4	Aye
Village of Garden City	<u>1.3</u>	Absent
TOTAL	61.1	

Motion unanimously carried.

Resolution #106/10/11 HVAC Construction WHEREAS, the Board of Directors of the Water Authority of Western Nassau County (hereinafter “Water Authority”), by public notice duly published according to law, invited sealed bid proposals for a contract, namely “Contract H - HVAC Construction” in connection with construction of the Water Authority’s project to construct two (2) iron removal facilities; and

WHEREAS, all such bid proposals received were opened and read publicly by the Water Authority of Western Nassau County, 58 South Tyson Avenue, Floral Park, New York, on the 19th day of April 2011, at 10:30 o’clock A.M., the time and place specified in the public notice; and

WHEREAS, upon review of the bid proposals received by the Water Authority of Western Nassau County, a written recommendation was sent to the Board of Directors by Dennis Kelleher of H2M Group, consulting engineers to the Water Authority of Western Nassau County, stating that United Technology, Inc. was the lowest responsible bidder meeting the bid specifications and recommending award of the contract thereto; and

WHEREAS, the Board of Directors of the Water Authority of Western Nassau County has determined that United Technology, Inc. is the lowest responsible bidder meeting the bid specifications and that its in the best interests of the Water Authority to accept its bid;

NOW THEREFORE, upon motion of G. Bakich, seconded by D. Longobardi,

BE IT RESOLVED, that the bid proposal of United Technology, Inc. be and the same is hereby accepted; and be it

FURTHER RESOLVED, that the Chairman of the Water Authority of Western Nassau County be and hereby is authorized to execute a contract with United Technology, Inc. to

perform the HVAC construction of the iron removal facilities, in the amount of \$190,066.00, and in accordance with the bid specifications for said contract.

Open for discussion. Roll call vote.

Town of Hempstead	26.4	Aye
Town of Hempstead	26.4	Absent
Village of Floral Park	17.0	Aye
Village of New Hyde Park	11.2	Absent
Town of North Hempstead	12.4	Aye
Village of Stewart Manor	2.4	Aye
Village of Bellerose	1.5	Aye
Village of South Floral Park	1.4	Aye
Village of Garden City	<u>1.3</u>	Absent
TOTAL	61.1	

Motion unanimously carried

Resolution **WHEREAS**, the Board of Directors of the Water Authority of Western Nassau County (hereinafter “Water Authority”), by public notice duly published according to law, invited sealed bid proposals for a contract, **#107/10/11**
Well
Construction namely, “Contract W – Well Construction” in connection with construction of the Water Authority’s project to construct two (2) iron removal facilities; and

WHEREAS, all such bid proposals received were opened and read publicly by the Water Authority of Western Nassau County, 58 South Tyson Avenue, Floral Park, New York, on the 19th day of April 2011, at 10:30 o’clock A.M., the time and place specified in the public notice; and

WHEREAS, upon review of the bid proposals received by the Water Authority of Western Nassau County, a written recommendation was sent to the Board of Directors by Dennis Kelleher of H2M Group, consulting engineers to the Water Authority of Western Nassau County, stating that A.C. Schultes, Inc. was the lowest responsible bidder meeting the bid specifications and recommending award of the contract thereto; and

WHEREAS, the Board of Directors of the Water Authority of Western Nassau County has determined that A.C. Schultes, Inc. is the lowest responsible bidder meeting the bid specifications and that its in the best interests of the Water Authority to accept their bid;

NOW THEREFORE, upon motion of M. Wohlgemuth, seconded by A. McMullan,

BE IT RESOLVED, that the bid proposal of A.C. Schultes, Inc. be and the same is hereby accepted; and be it

FURTHER RESOLVED, that the Chairman of the Water Authority of Western Nassau County be and hereby is authorized to execute a contract with A.C. Schultes, Inc. to

perform the Well construction of the iron removal facilities, in the amount of \$388,700.00, and in accordance with the bid specifications for said contract.

Open for discussion. Roll call vote.

Town of Hempstead	26.4	Aye
Town of Hempstead	26.4	Absent
Village of Floral Park	17.0	Aye
Village of New Hyde Park	11.2	Absent
Town of North Hempstead	12.4	Aye
Village of Stewart Manor	2.4	Aye
Village of Bellerose	1.5	Aye
Village of South Floral Park	1.4	Aye
Village of Garden City	<u>1.3</u>	Absent
TOTAL	61.1	

Motion unanimously carried.

Resolution **WHEREAS**, the Board of Directors of the Water Authority of Western
#108/10/11 Nassau County (hereinafter "Water Authority"), has received a memorandum
AWWA from Michael J. Tierney, Superintendent of the Water Authority, recommending
Seminar that the Water Authority send one employee to the utility based leadership
 seminar at a cost of \$499.00 (Four hundred ninety-nine dollars).

NOW THEREFORE, upon motion of S. Powderly, seconded by A. McMullan,

BE IT RESOLVED, that the Board of Directors of the Water Authority hereby approves the attendance of one employee of the Water Authority to be selected by the Superintendent to attend the utility based leadership seminar at a cost of \$499.00 (Four hundred ninety-nine dollars).

Open for discussion. Mr. Tierney indicated his choice to attend this seminar will probably be Mr. Swartz, Chief Engineer. Roll call vote.

Town of Hempstead	26.4	Aye
Town of Hempstead	26.4	Absent
Village of Floral Park	17.0	Aye
Village of New Hyde Park	11.2	Absent
Town of North Hempstead	12.4	Aye
Village of Stewart Manor	2.4	Aye
Village of Bellerose	1.5	Aye
Village of South Floral Park	1.4	Aye
Village of Garden City	<u>1.3</u>	Absent
TOTAL	61.1	

Motion unanimously carried.

A presentation was given by Mr. Faccibene of JAF Associates presenting information about a policy covering privacy infringements. Mr. Tierney will instruct the head of Information Technology to prepare a risk analysis of the Water Authority records possibly impacting privacy infringement.

Proposed Dates: May 2 – Work session to review the proposed Operating and Capital Plans.
May 26 – Public Rate Hearing and Regular Monthly meeting –
Start time: 7:00 PM

Public Comment: Ken Clements of North Valley Stream addressed the Board regarding problems with discolored water in his area. Mr. Ryan and Mr. Tierney responded to him by letting him know that this is the intent of the iron removal plant contracts approved tonight.

Bruce Machen, Inspector for the Water Authority made a presentation on behalf of the Water Authority employees asking the Board members to consider a salary increase during the upcoming Operating Plan discussions.

Resolution Motion by D. Longobardi seconded by S. Powderly for the Board to go into
#108/10/11 Executive Session to discuss a matter of contract. Open for discussion.
Executive Vote: For: 6 Against: 0 Abstentions: 0 The motion unanimously passed
Session and the Board went into Executive Session at 8:45 PM.

Resolution Motion by D. Longobardi seconded by G. Bakich for the Board to come out
#109/10/11 of Executive Session. Open for discussion. Vote: For: 6 Against: 0
Executive Abstentions: 0 The motion unanimously passed and the Board came out of
Session Executive Session at 8:55 PM.

Resolution **WHEREAS**, the Board of Directors of the Water Authority of Western Nassau
#110/10/11 County (hereinafter “Water Authority”) by public notice duly published accord-
Electrical ing to law, invited sealed bid proposals for a contract, namely “Contract E -
Construction Electrical Construction” in connection with construction of the Water Authority’s
project to construct two (2) iron removal facilities; and

WHEREAS, all such bid proposals received were opened and read publicly by the Water Authority of Western Nassau County, 58 South Tyson Avenue, Floral Park, New York, on the 19th day of April 2011, at 10:30 o’clock A.M., the time and place specified in the public notice; and

WHEREAS, upon review of the bid proposals received by the Water Authority of Western Nassau County, a written recommendation was sent to the Board of Directors by Dennis Kelleher of H2M Group, consulting engineers to the Water Authority of Western Nassau County, stating that Wire to Water, Inc. was the lowest responsible bidder meeting the bid specifications and recommending award of the contract thereto; and

WHEREAS, JVR Electric submitted documentation indicating that it made a mistake of bid and failed to include items within the scope of work in its bid and requested withdrawal of its bid; and

WHEREAS, the Board of Directors of the Water Authority of Western Nassau County has determined that Wire to Water, Inc. is the lowest responsible bidder meeting the bid specifications and that its in the best interests of the Water Authority to accept its bid;

NOW THEREFORE, upon motion of D. Longobardi, seconded by G. Bakich,

BE IT RESOLVED, that the bid of JVR Electric is deemed null and void due to a mistake of bid; and be it

FURTHER RESOLVED, that the bid proposal of Wire to Water, Inc. be and the same is hereby accepted; and be it

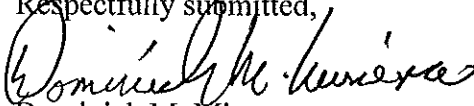
FURTHER RESOLVED, that the Chairman of the Water Authority of Western Nassau County be and hereby is authorized to execute a contract with Wire to Water, Inc. to perform the electrical construction of the iron removal facilities, in the amount of \$2,583,000.00 and in accordance with the bid specifications for said contract.

Open for discussion. Roll call vote.

Town of Hempstead	26.4	Aye
Town of Hempstead	26.4	Absent
Village of Floral Park	17.0	Aye
Village of New Hyde Park	11.2	Absent
Town of North Hempstead	12.4	Aye
Village of Stewart Manor	2.4	Aye
Village of Bellerose	1.5	Aye
Village of South Floral Park	1.4	Aye
Village of Garden City	<u>1.3</u>	Absent
TOTAL	61.1	

Motion unanimously carried.

Resolution #111/10/11 Motion by G. Bakich seconded by D. Longobardi to adjourn. Open for discussion. Vote: For: 6 Against: 0 Abstentions: 0 Motion unanimously carried
Adjournment and the meeting was adjourned at 8:55 P.M.

Respectfully submitted,

Dominick M. Minerva
Secretary