

WATER AUTHORITY OF WESTERN NASSAU COUNTY
Minutes of the Meeting of November 22, 2010

Location: 58 South Tyson Avenue, Floral Park

Attendance: John E. Ryan Chairman
George Bakich Town of Hempstead
Herbert Brown Village of Garden City
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: Chris Gorman Village of Stewart Manor
Aly Kayne Town of Hempstead
Reid Sakowich Village of New Hyde Park

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

Water Authority: M. Tierney, Superintendent

Consultant: Robert Holzmacher, Engineer

The meeting was called to order at 7:40 PM by J. Ryan who led the salute to the flag.

Resolution #044/10/11 Motion by M. Wohlgemuth seconded by B. Brown to approve the minutes of the meeting of October 18, 2010. Open for discussion.

Approval of Minutes Vote: For: 6 Against: 0 Abstentions: 0 Motion unanimously carried.

Treasurer’s Report: In the absence of Mr. Conroy, Mr. Tierney presented the Treasurer’s Report for the period 10/1/10 through 10/31/10. Mr. Tierney addressed questions from the Board members.

Resolution #045/10/11 Motion by D. Longobardi seconded by M. Wohlgemuth to approve and pay the outstanding Accounts Payable warrants for the period 10/1/10 thru 10/31/10 in the amount of \$1,796,607.80. Open for discussion. Mr. Tierney responded to questions from Board members.
Approval of Warrants Vote: For: 6 Against: 0 Abstentions: 0 Motion unanimously carried.

Resolution #046/10/11 Motion by D. Longobardi seconded by G. Bakich to approve capital expenditure items of the warrants from the Citibank Capital Reserve fund in the amount of \$128,487.89 Open for discussion.
Bond Fund 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 November 19, 2010. Mr. Tierney responded to questions from Board members.

Attorney's Report:

Resolution #047/10/11 NYSHIP Renewal WHEREAS, the Board of Directors of the Water Authority of Western Nassau County (hereinafter "Water Authority") has received a memorandum from Janice Varley, Director of Human Resources of the Water Authority, recommending that the Water Authority renew medical insurance coverage with the New York State Health Insurance Plan (NYSHIP) effective January 1, 2011 through December 31, 2011 for Water Authority employees.

NOW THEREFORE, upon motion of D. Longobardi, seconded by A. McMullan,

BE IT RESOLVED that the Board of Directors of the Water Authority hereby approves the renewal of medical insurance coverage with NYSHIP, effective January 1, 2011 through December 31, 2011 for Water Authority employees; and

BE IT FURTHER RESOLVED that the percentage contribution from employees and retirees of the Water Authority to their respective cost of the premium for NYSHIP shall remain the same.

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	Absent
Village of Bellerose	1.5	Aye
Village of South Floral Park	1.4	Aye
Village of Garden City	1.3	Aye
TOTAL	60.0	

Motion unanimously carried.

Resolution #048/10/11 Paving Services Contract WHEREAS, the Board of Directors of the Water Authority of Western Nassau County by public notice duly published according to law, invited sealed bid proposals for a one year contract with a one year option, to be exercised in the sole discretion of the Water Authority of Western Nassau County, to perform paving services for the Water Authority of Western Nassau County, in accordance with its requirements; 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 16th day of November, 2010, at 10:30 o'clock A.M., the time and place specified in the public notice; and

WHEREAS, upon review of such bid proposals by the Water Authority of Western Nassau County, a written recommendation was sent to the Board of Directors by Robert Swartz, Chief Engineer of the Water Authority of Western Nassau County, stating that DeRosa Paving 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 DeRosa Paving Inc. is the lowest responsible bidder meeting the bid specifications;

NOW THEREFORE, upon motion of G. Bakich, seconded by B. Brown,

BE IT RESOLVED, that the bid proposal of DeRosa Paving 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 one year contract with a one year option, to be exercised in the sole discretion of the Water Authority of Western Nassau County, with DeRosa Paving Inc. to perform paving services for the Water Authority of Western Nassau County, in accordance with its requirements, for the prices specified in said bid proposal 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	Absent
Village of Bellerose	1.5	Aye
Village of South Floral Park	1.4	Aye
Village of Garden City	<u>1.3</u>	Aye
TOTAL	60.0	

Motion unanimously carried.

Resolution #049/10/11 Locating & Marking Services **WHEREAS**, the Board of Directors of the Water Authority of Western Nassau County by public notice duly published according to law, invited sealed bid proposals for a one year contract with a one year option, for locating and marking services for the Water Authority of Western Nassau County; 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 16th day of November 2010, 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 Robert Swartz, Chief Engineer of the Water Authority of Western Nassau County, stating that Eastern Locating Service, 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 Eastern Locating Service, Inc. is the lowest responsible bidder meeting the bid specifications;

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

BE IT RESOLVED, that the bid proposal of Eastern Locating Service, 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 one year contract with a one year option, to be exercised in the sole discretion of the Water Authority of Western Nassau County, with Eastern Locating Service, Inc. to perform locating and marking services for the Water Authority of Western Nassau County, in accordance with its requirements, for the prices specified in said bid proposal 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	Absent
Village of Bellerose	1.5	Aye
Village of South Floral Park	1.4	Aye
Village of Garden City	<u>1.3</u>	Aye
TOTAL	60.0	

Motion unanimously carried

Resolution #050/10/11 **Water Main Installation Services** **WHEREAS**, the Board of Directors of the Water Authority of Western Nassau County by public notice duly published according to law, invited sealed bid proposals for a one year contract with a one year option to be exercised at the sole discretion of the Water Authority to perform water main installation services for the Water Authority of Western Nassau County; 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 17th day of November, 2010, at 10:30 o'clock A.M., the time and place specified in the public notice; and

WHEREAS, upon review of such bid proposals by the Water Authority of Western Nassau County, a written recommendation was sent to the Board of Directors by Robert Swartz, Chief Engineer of the Water Authority of Western Nassau County, stating that Merrick Utility was the lowest responsible bidder meeting the bid specifications, and recommending award of the contract thereto; and

WHEREAS, the aforesaid recommendation stated that the bid submission of Merrick Utility failed to sign the Bid Form; and

WHEREAS, a signed Bid Form was received by the Water Authority prior to award of the bid; and

WHEREAS, the Board of Directors of the Water Authority of Western Nassau County has determined that Merrick Utility is the lowest responsible bidder meeting the bid specifications;

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

BE IT RESOLVED, that the Board of Directors of the Water Authority of Western Nassau County hereby waives the irregularity of the failure of Merrick Utility to sign the Bid Form based upon receipt of same prior to award of the bid; and be it

FURTHER RESOLVED, that the bid proposal of Merrick Utility 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 one year contract with a one year option, to be exercised in the sole discretion of the Water Authority of Western Nassau County, with Merrick Utility to perform water main installation services for the Water Authority of Western Nassau County, for the prices specified in said bid proposal 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	Absent

Village of Bellerose	1.5	Aye
Village of South Floral Park	1.4	Aye
Village of Garden City	<u>1.3</u>	Aye
TOTAL	60.0	

Motion unanimously carried.

Resolution #051/10/11
Executive Session
 Motion by M. Wohlgemuth seconded by D. Longobardi for the Board to go into Executive Session to discuss matters of contract.
 Open for discussion. Vote: For: 6 Against: 0 Abstentions: 0
 The vote was unanimous and the Board went into Executive Session at 8:30 P.M.

Resolution #052/10/11
Executive Session
 Motion by D. Longobardi seconded by M. Wohlgemuth for the Board to come out of Executive Session. Open for discussion.
 Vote: For: 6 Against: 0 Abstentions: 0
 The vote was unanimous and the Board came out of Executive Session at 9:20 P.M.

Resolution #053/10/11
Cell Tower Agreement
WHEREAS, T-Mobile Northeast, LLC (hereinafter "T-Mobile") wishes to be granted the right to the use of approximately four hundred fifty (450) square feet of property, owned by the Water Authority of Western Nassau County (hereinafter "Water Authority"), which is the site of the Water Authority's Tank No. 28, situated on Lots 81-83, 98-100 and 282-301, Block 599, Section 32 on the Nassau County Land & Tax Map and of space on the elevated water tank, known as "Tank No. 28", to house commercial mobile radio service equipment and twelve antennas; and

WHEREAS, the Board of Directors of the Water Authority has determined that it is in the best interest of the Water Authority to enter into a lease agreement with T-Mobile granting use of approximately four hundred fifty square feet of property, owned by the Water Authority;

NOW THEREFORE, Upon motion of M. Wohlgemuth, seconded by B. Brown,

BE IT RESOLVED, that the Chairman of the Water Authority of Western Nassau County be and hereby is authorized to execute a Lease Agreement, in a form acceptable to counsel of the Water Authority, with T-Mobile, granting T-Mobile the right to use of approximately four hundred fifty square feet of property, owned by the Water Authority, which is the site of the Water Authority's Tank No. 28, situated on Lots 81-83, 98-100 and 282-301, Block 599, Section 32 on the Nassau county Land & Tax Map and of space on the elevated water tank, known as "Tank No. 28", to house commercial mobile radio service equipment and six antennas, for a monthly rental of \$4,000.00 for the first year, with an increase of 4% per annum, with a security deposit of 2 months rent and reimbursement in the amount of \$2,000.00 for legal fees, subject to any required municipal approvals.

Open for discussion. Roll call vote.

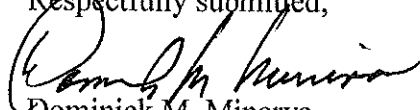
Town of Hempstead	26.4	Aye
Town of Hempstead	26.4	Absent
Village of Floral Park	17.0	Aye
Village of New Hyde Park	11.2	Absent
Town of North Hempstead	12.4	Aye
Village of Stewart Manor	2.4	Absent
Village of Bellerose	1.5	Abstain
Village of South Floral Park	1.4	Aye
Village of Garden City	<u>1.3</u>	Aye
TOTAL	58.5	

Motion carried.

Date of next meeting: December 20, 2010

Resolution Motion by G. Bakich seconded by A. McMullan to adjourn. Open for discussion.
#054/10/11 Vote: For: 6 Against: 0 Abstentions: 0 Motion unanimously carried and the
Adjournment meeting was adjourned at 9:20 P.M.

Respectfully submitted,


Dominick M. Minerva
Secretary