

WATER AUTHORITY OF WESTERN NASSAU COUNTY
Minutes of the Meeting of February 25, 2013

Location: 58 South Tyson Avenue, Floral Park

Attendance: George Bakich Town of Hempstead
Chris Gorman Village of Stewart Manor
Dominick Longobardi Village of Floral Park
Arlene McMullan Village of South Floral Park
Susan Powderly Village of Bellerose
Marianna Wohlgemuth Town of North Hempstead

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

Legal Counsel: D. Minerva, Minerva & D'Agostino, P.C.

Engineer: R. Lucas, H2M

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

Chairman Ryan called the meeting to order at 7:00 PM. Mr. Ryan asked D. Longobardi to lead the salute to the flag.

Resolution #62/12/13 Motion by M. Wohlgemuth seconded by D. Longobardi to approve the minutes of the January 22, 2013 Meeting. Open for discussion. Vote: For: 6 Against: 0
Approval of Minutes Abstentions: 0 The minutes were unanimously approved as amended.

Treasurer's Report: Mr. Conroy reported on the financial position of the Water Authority as of January 22, 2013. The report was made a part of the record and appended to the minutes.

Resolution #63/12/13 Motion by M. Wohlgemuth, seconded by A. McMullan to approve and pay the outstanding Accounts Payable warrants for the period 1/10/13 thru 2/12/13 in the amount of \$2,463,262.03. Open for discussion.
Approval of Warrants Vote: For: 6 Against: 0 Abstentions: 0 Motion unanimously carried.

Resolution #64/12/13 Motion by D. Longobardi seconded by M. Wohlgemuth to approve capital expenditure items of the warrants from the Chase Capital Reserve fund in the amount of \$849,720.15. Open for discussion. Mr. Tierney addressed questions from the Board.
Bond Fund Account Vote: For: 6 Against: 0 Abstentions: 0 Motion unanimously passed.

Superintendent's Report: M. Tierney reported on the status of the Water Authority as of February 20, 2013. Mr. Tierney responded to questions from Board members.

Attorney's Report:

Resolution #65/12/13 **WHEREAS**, the Water Authority of Western Nassau County's (hereinafter "Water Authority") commercial insurance policies were scheduled to renew on March 1, 2013:

- Renewal of Commercial Insurance**
- Commercial Crime
 - General Liability
 - Equipment Breakdown
 - Commercial Automobile
 - Commercial Property
 - Primary Umbrella Liability
 - Excess Umbrella Liability
 - Public Officials Liability
 - Employee Benefits Liability
 - Terrorism

WHEREAS, the Board of Directors of the Water Authority has reviewed the memorandum from Janice R. Varley, Director of Human Resources, and the report from JAF Associates Insurance Services with respect to the renewal of the aforesaid commercial insurance policies; and

WHEREAS, it is in the best interest of the Water Authority to contract for a one year period commencing March 1, 2013 with JAF Associates Insurance Services to provide the aforesaid commercial insurance policies;

NOW THEREFORE, upon motion of S. Powderly, seconded by C. Gorman,

BE IT RESOLVED, that the Board of Directors of the Water Authority hereby approves placement of the insurance policies with JAF Associates Insurance Services in accordance with the submitted proposal in the total amount of two hundred ninety-eight thousand two hundred seventy-two (\$298,272.00) dollars.

Open for discussion and 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 carried.

Resolution
#66/12/13
Extend
Footwear
Contract

WHEREAS, the Board of Directors of the Water Authority of Western Nassau County (hereinafter “Water Authority”) entered into an agreement dated May 2012 with Saf-Gard Safety Shoe Co. to supply footwear to the Water Authority; and

WHEREAS, Article 6 of the aforesaid contract provides the Water Authority with the option to elect to extend the contract for two successive one year terms, upon ninety days written notice, with a price increase of two (2%) percent per year; and

WHEREAS, a written recommendation was sent to the Board of Directors by Christine DeFina of the Water Authority, recommending extending the term of the aforesaid contract for the first successive one year term;

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

BE IT RESOLVED, that the Chairman of the Water Authority be and hereby is authorized to transmit written notification to Saf-Gard Safety Shoe Co. of the Water Authority’s exercise of its option, to extend the term of the aforesaid contract for the first successive one year term.

Open for discussion and 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
#67/12/13
Approve
Short-Term
Disability

WHEREAS, the Water Authority of Western Nassau County (hereinafter “Water Authority”) has received a memorandum from Janice Varley, Director of Human Resources, stating that approval by the Board of Directors is required by the State of New York by unanimous vote to voluntarily provide short term disability coverage of its employees; and

WHEREAS, the aforesaid memorandum further states that application must be made to the State of New York for permission to voluntarily provide short term disability to the Water Authority’s employees;

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

BE IT RESOLVED that the Board of Directors of the Water Authority hereby authorizes the application to the State of New York for voluntary short term disability coverage of its employees; and be it

FURTHER RESOLVED, that the Board of Directors of the Water Authority hereby elects to provide voluntary coverage of short term disability coverage for all of its employees, with a reservation of all rights as a Public Authority under the laws of the State of New York.

Open for discussion and 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
#68/12/13 County (hereinafter “Water Authority”) entered into a contract with Bensin
Approve Contracting, Inc. (hereinafter “Bensin”) to perform Well Station Mechanical
Change Work, Excel Builders Group, Inc. (hereinafter “Excel”) to perform General
Orders Construction Work and Rocon Plumbing (hereinafter “Rocon”) to perform
 Plumbing Work in connection with construction of Phase II (Main Building), of the Water
 Authority’s project to construct a new headquarters building; and

WHEREAS, the Water Authority has received additional work orders from Bensin, Excel and Rocon as detailed in the memorandum dated February 20, 2013 from Michael J. Tierney, Superintendent to the Board of Directors in the total amount of \$97,667.85 in connection with construction of Phase II (Main Building) of the Water Authority’s project to construct a new headquarters building detailed as follows:

- 1) Bensin \$11,166.00
- 2) Bensin \$4,608.00
- 3) Bensin \$48,700.00
- 4) Excel \$3,921.50
- 5) Excel \$11,557.30
- 6) Excel \$1,376.55
- 7) Excel \$11,097.50
- 8) Excel \$1,776.00
- 9) Rocon \$3,465.00

and

WHEREAS, the Superintendent of the Water Authority and the Water Authority’s Architect, Angelo Francis Corva, have recommended that the Board of Directors approve said change order.

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

BE IT RESOLVED, that the additional work orders from Bensin, Excel and Rocon as detailed in the memorandum dated February 20, 2013 from Michael J. Tierney, Superintendent, to the Board of Directors in the total amount of \$97,667.85 are hereby approved.

Open for discussion and 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 #69/12/13 Motion by A. McMullan, seconded by M. Wohlgemuth for the Board to go into Executive Session to discuss a matter of personnel. Open for discussion.
Executive Session Vote: For: 6 Against: 0 Abstentions: 0 Motion unanimously carried and the Board went into Executive Session at 7:40 PM.

Resolution #70/12/13 Motion by D. Longobardi, seconded by S. Powderly for the Board to come out of Executive Session. Open for discussion.
Executive Session Vote: For: 6 Against: 0 Abstentions: 0 Motion unanimously carried and the Board came out of Executive Session at 7:50 PM.

Public Comment: Mrs. Josephine DeVita, wife of Customer Service Field Representative Louis DeVita, addressed the Board regarding the Notice of Exhaustion of Leave of Absence served upon her husband.

Resolution #71/12/13 Motion by D. Longobardi, seconded by G. Bakich for the Board to go back into Executive Session to discuss a matter of personnel. Open for discussion.
Executive Session Vote: For: 6 Against: 0 Abstentions: 0 Motion unanimously carried and the Board went into Executive Session at 7:55 PM.

Resolution #72/12/13 Motion by G. Bakich, seconded by S. Powderly for the Board to come out of Executive Session. Open for discussion.
Executive Vote: For: 6 Against: 0 Abstentions: 0 Motion unanimously carried and the

Session Board came out of Executive Session at 8:05 PM.

Resolution #73/12/13 WHEREAS, the Water Authority of Western Nassau County's (hereinafter "Water Authority") placed Louis DeVita on a Worker's Compensation Leave
Termination Of Employment of Absence; and
 WHEREAS, the Water Authority has notified Louis DeVita of the Water Authority's intent to terminate his employment with the Water Authority for exhaustion of his Worker's Compensation Leave of Absence in accordance with the provisions of Section 71 of the New York State Civil Service Law;

NOW THEREFORE, upon motion of S. Powderly, seconded by D. Longobardi,
BE IT RESOLVED, that the Board of Directors of the Water Authority hereby terminates the employment of Louis DeVita effective March 25, 2013; and be it

FURTHER RESOLVED, that the Water Authority shall notify the employee and the Civil Service Department accordingly and advise the employee of his COBRA rights, if any.

Open for discussion and 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. Mrs. DeVita thanked the Board for their action.

R. Lucas of H2M presented a summary of upcoming regulatory issues.

Date of Next Meeting March 25, 2013

Public Comment: None

Resolution #74/12/13 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 8:35 PM.

Respectfully submitted,


 Dominick Minerva
 Secretary