

WATER AUTHORITY OF WESTERN NASSAU COUNTY
Minutes of the Meeting of April 26, 2010

Location: 58 South Tyson Avenue, Floral Park

Attendance: John E. Ryan Chairman
George Bakich Town of Hempstead
Aly Kayne Town of Hempstead (arrived 7:50 PM)
Dominic Longobardi Village of Floral Park
Reid Sakowich Village of New Hyde Park
Arlene McMullan Village of South Floral Park
Susan Powderly Village of Bellerose
Marianna Wohlgemuth Town of North Hempstead
Chris Gorman Village of Stewart Manor

Absent: Herbert Brown Village of Garden City

Legal Counsel: Dominick Minerva, Sr. and Dominick Minerva, Jr., Minerva & D'Agostino

Engineer: Robert Holzmacher

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

The meeting was called to order at 7:30 PM by J. Ryan who asked Mr. Bakich to lead the salute to the flag.

Resolution #088/09/10 Motion by M. Wohlgemuth seconded by A. McMullan to approve the Minutes of the meeting of March 29, 2010. Open for discussion.

Approval of Minutes Vote: For: 7 Against: 0 Abstentions: 0 Motion unanimously carried and the Minutes were accepted as presented.

Treasurer's Report: Mr. Ryan indicated that he has received notice from Mr. Conroy that he has been appointed Controller for the Town of Hempstead and that tonight is his last meeting. The Board wished Mr. Conroy well, and thanked him for his service. Mr. Conroy thanked the Board and staff for their assistance during his term.

Mr. Conroy reported on the financial position of the Water Authority as of March 31, 2010. Mr. Conroy and Mr. Tierney responded to questions from the Board. The report was made a part of the record and appended to the minutes.

Resolution #089/09/10 Motion by M. Wohlgemuth seconded by A. McMullan to approve and pay the outstanding Accounts Payable warrants for the period 3/1/10 thru 3/31/10 in the amount of \$1,086,936.99. Open for discussion. Mr. Tierney responded to questions from Board members.

Warrants Vote: For: 7 Against: 0 Abstentions: 0 Motion unanimously carried.

Resolution Motion by D. Longobardi seconded by M. Wohlgemuth to approve capital
#090/09/10 expenditure items of the warrants from the Citibank Capital Reserve fund
Bond Fund in the amount of \$25,571.10. Open for discussion.
Account Vote: For: 7 Against: 0 Abstentions: 0 Motion unanimously passed.

(Mr. Kayne arrived at 7:50 P.M.)

Superintendent’s Report: Mr. Tierney reported on the operating status of the Water Authority as of April 22, 2010. He responded to questions and comments from the Board.

Attorney’s Report: Mr. Minerva Jr. presented the following resolutions for consideration by the Board.

Resolution **WHEREAS**, the Board of Directors of the Water Authority of Western Nassau
#091/09/10 County (hereinafter “Water Authority”) has received a memorandum from Janice
Vision Varley, Director of Human Resources & Administration of the Water Authority,
Insurance recommending a change of the Water Authority’s vision insurance plan carrier
Carrier from American Medical and Life Insurance Company to Guardian Insurance
 effective June 1, 2010; and

WHEREAS, the aforesaid memorandum indicates that there will be both a cost savings and reduced administration since Guardian Insurance covers the Water Authority for dental, life and long term disability;

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

BE IT RESOLVED, that the Board of Directors of the Water Authority hereby approves the change of the Water Authority’s vision insurance plan carrier from American Medical and Life Insurance Company to Guardian Insurance effective June 1, 2010; and

BE IT FURTHER RESOLVED, that employees of the Water Authority shall contribute ten percent (10%) to the cost of the premium for the vision insurance plan with the Guardian.

Open for discussion. Roll call vote.

Town of Hempstead	26.4	Aye
Town of Hempstead	26.4	Aye
Village of Floral Park	17.0	Aye
Village of New Hyde Park	11.2	Aye
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	98.7	

Motion unanimously carried.

Resolution #092/09/10 2010 Seasonal Program **WHEREAS**, the Board of Directors of the Water Authority of Western Nassau County (hereinafter “Water Authority”) has received a memorandum from Janice R. Varley, Director of Human Resources & Administration of the Water Authority stating that three (3) seasonal employees are required by the Water Authority; and

WHEREAS, the aforesaid memorandum recommends a salary of \$12.00 per hour for the first year seasonal hires, \$13.00 per hour for second year seasonal hires, \$14.00 per hour for third year seasonal hires and \$15.00 for fourth year seasonal hires;

NOW THEREFORE, upon motion of R. Sakowich, seconded by S. Powderly,

BE IT RESOLVED, that three (3) seasonal employees be hired for the period of May 2010 through September of 2010, not to exceed 18 weeks of employment for any single seasonal employee; and

BE IT FURTHER RESOLVED, that the salary rate for seasonal hires will be \$12.00 per hour for the first year seasonal hires, \$13.00 per hour for second year seasonal hires, \$14.00 per hour for third year seasonal hires, and \$15.00 for fourth year seasonal hires.

Open for discussion. Roll call vote.

Town of Hempstead	26.4	Aye
Town of Hempstead	26.4	Aye
Village of Floral Park	17.0	Aye
Village of New Hyde Park	11.2	Aye
Town of North Hempstead	12.3	Abstain
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	86.4	

Motion carried.

Resolution #093/09/10 Laboratory 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 supply liquid zinc orthophosphate and bimetallic zinc polyphosphate to 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 14th day of April, 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 Shannon Chemical Corporation 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 Shannon Chemical Corporation is the lowest responsible bidder meeting the bid specifications;

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

BE IT RESOLVED, that the bid proposal of Shannon Chemical Corporation 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, with Shannon Chemical corporation to supply liquid zinc orthophosphate and bimetallic zinc polyphosphate to 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	Aye
Village of Floral Park	17.0	Aye
Village of New Hyde Park	11.2	Aye
Town of North Hempstead	12.3	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	98.7	

Motion unanimously carried.

Resolution **WHEREAS**, the Board of Directors of the Water Authority of Western Nassau County (hereinafter "Water Authority") has received a memorandum from Karen Hearne of the Water Authority recommending engaging the services for the Water Authority's off hours answering service from North Shore Answering Service Inc.

#094/09/10

Off Hours

Answering

Service to Professionally Speaking; and

WHEREAS, the aforesaid memorandum indicates that there will be a cost savings realized as a result of the change in contractors;

NOW THEREFORE, upon motion of D. Longobardi, seconded by S. Powderly,

BE IT RESOLVED, that the Board of Directors of the Water Authority hereby engages the services of Professionally Speaking to provide the Water Authority’s off hours answering service; 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 Professionally Speaking to provide off hours answering service for the Water Authority of Western Nassau County in a form acceptable to counsel.

Open for discussion. Roll call vote.

Town of Hempstead	26.4	Aye
Town of Hempstead	26.4	Aye
Village of Floral Park	17.0	Aye
Village of New Hyde Park	11.2	Aye
Town of North Hempstead	12.3	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	98.7	

Motion unanimously carried.

Resolution **WHEREAS**, the Board of Directors of the Water Authority of Western Nassau County (hereinafter “Water Authority”) has requested an Easement from the County of Nassau to install new water mains in a County Drainage Brook known as Foster’s Brook and located along 1st through 3rd Streets in Franklin Square; and
#095/09/10
Easement
Agreement

WHEREAS, the aforementioned new water mains were installed within the proposed easement area pursuant to a permit agreement between the Water Authority and the County of Nassau; and

WHEREAS, the County of Nassau has provided the Water Authority with a proposed Easement Agreement;

NOW THEREFORE, upon motion of G. Bakich, seconded by A. Kayne,

BE IT RESOLVED, that the Board of Directors of the Water Authority hereby approves the Easement Agreement with the County of Nassau to maintain the Water Authority’s water mains located within the easement area; and

BE IT FURTHER RESOLVED, that the Chairman is hereby authorized to execute an Easement Agreement with the County of Nassau in a form acceptable to Counsel to the Water Authority.

Open for discussion. Roll call vote.

Town of Hempstead	26.4	Aye
Town of Hempstead	26.4	Aye
Village of Floral Park	17.0	Aye
Village of New Hyde Park	11.2	Aye
Town of North Hempstead	12.3	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	98.7	

Motion unanimously carried.

Resolution **#096/09/10** **Establish** **Finance** **Committee** **WHEREAS**, the Water Authority of Western Nassau County (hereinafter “Water Authority”) is a Public Authority organized pursuant to New York State Public Authorities Law (hereinafter “PAL”) section 1198-a et seq.; and

WHEREAS, pursuant to section 1198-d(4) of the PAL, the Water Authority has the power to establish committees of the Board of Directors and pursuant to section 2824 of the PAL the Water Authority is required to establish a finance committee; and

WHEREAS, the Water Authority has previously established an “audit and finance committee” and is now desirous of establishing two separate committees, the “audit committee” and the “finance committee” in accordance with the revisions to section 2824 of the PAL; and

WHEREAS, the following Directors have volunteered to serve on the finance committee: A. Kayne, C. Gorman and R. Sakowich;

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

BE IT RESOLVED, that the Board of Directors hereby changes the name of the “audit and finance committee” to the “audit committee”; and be it

FURTHER RESOLVED that the Board of Directors hereby establishes the “finance committee” with the following Directors to serve thereon until modified by resolution

of the Board of Directors of the Water Authority: A. Kayne, C. Gorman, and R. Sakowich.

Open for discussion. Roll call vote.

Town of Hempstead	26.4	Aye
Town of Hempstead	26.4	Aye
Village of Floral Park	17.0	Aye
Village of New Hyde Park	11.2	Aye
Town of North Hempstead	12.3	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	98.7	

Motion unanimously carried.

Next meeting: Scheduled for May 24 will be the Rate Hearing and Budget vote. M. Tierney feels there should be a meeting of the Board before this date to review the budget. The Board will be polled for their availability for these meetings.

Public Comment: B. Machen, representing the Water Authority employees, noted that the proposed union was voted down, but there are still employees who are not happy with the situation over the level of post-retirement health benefits and current salary levels.

Resolution Motion by A. McMullan seconded by S. Powderly for the Board to go into
#097/09/10 Executive Session to discuss a matter of personnel and litigation. There will be
Executive no action taken following this Executive Session. Open for discussion.
Session Vote: For: 8 Against: 0 Abstentions: 0 Motion unanimously carried and the Board went into Executive Session at 8:25 PM.

(Mr. Gorman left the meeting at 8:30 P.M.)

Resolution Motion by M. Wohlgemuth seconded by A. McMullan for the Board to come out
#098/09/10 of Executive Session. Open for discussion. Vote: For: 7 Against: 0
Executive Abstentions: 0 Motion carried unanimously and the Board came out of Executive
Session Session at 8:55 PM.

Resolution Motion by G. Bakich, seconded by D. Longobardi to adjourn. Open for
#099/09/10 discussion. Vote: For: 7 Against: 0 Abstentions: 0 Motion unanimously carried.
Adjournment The meeting was adjourned at 8:55 PM.

Respectfully submitted,

Dominick M. Minerva
 Secretary