

**WATER AUTHORITY OF WESTERN NASSAU COUNTY**  
**Minutes of the Meeting of May 27, 2014**

**Location:** 1580 Union Turnpike, New Hyde Park, NY

**Attendance:** John E. Ryan Chairman  
George Bakich Town of Hempstead  
Chris Gorman Village of Stewart Manor  
Dominic Longobardi Village of Floral Park  
Susan Powderly Village of Bellerose  
Bart Brown Village of Garden City  
Marianna Wohlgemuth Town of North Hempstead

**Absent:** Aly Kayne Town of Hempstead  
Arlene McMullan Village of South Floral Park  
Reid Sakowich Village of New Hyde Park

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

**Engineer:** Robert Lucas, H2M

**Water Authority:** M. Tierney, Superintendent; J. Conroy, Treasurer; J. Varley, Director, Human Resources; A. Kolakowski, Director, Accounting & Customer Service

Chairman Ryan called the meeting to order at 7:30 PM and asked M. Wohlgemuth to lead the salute to the flag.

**Resolution # 113/13/14—Open Hearing**

Motion by D. Longobardi, seconded by G. Bakich to open the Public Statement Hearing for the 2014-15 Fiscal Year. Open for discussion. Vote: For: 6 Against: 0 Abstentions: 0 Motion unanimously carried and the Public Statement Hearing was opened at 7:04 PM.

**Resolution # 114/13/14—Close Hearing**

Motion by D. Longobardi, seconded by C. Gorman to close the Public Statement Hearing for the 2014-15 Fiscal Year. Open for discussion. Vote: For: 6 Against: 0 Abstentions: 0 Motion unanimously carried and the Public Statement Hearing was closed at 7:33 PM.

**Resolution # 115/13/14 —Approval of Minutes**

Motion by D. Longobardi, seconded by M. Wohlgemuth to approve the minutes of the meeting of March 25, 2014. Open for Discussion. Vote For: 6 Against: 0 Abstention: 0 Motion unanimously carried.

**Treasurer's Report**

Mr. Conroy reported on the financial position of the Water Authority for the period 3/1/14 to 3/31/14. The report was made a part of the record and appended to the minutes.

**Resolution # 116/13/14—Approval of Warrants**

Motion by M. Wohlgemuth, seconded by B. Brown to approve and pay the outstanding Accounts Payable warrants for the period 3/1/14 thru 4/16/14 in the amount of \$ 1,269,471.92. Open for discussion. Vote: For: 6 Against: 0 Abstentions: 0 Motion unanimously carried.

**Resolution # 117/13/14—Approval of Capital Expenditures**

Motion by M. Wohlgemuth, seconded by S. Powderly to approve and pay the Capital Expenditures for the period 3/1/14 thru 4/16/14 in the amount of \$87,292.41. Open for discussion. Vote: For: 6 Against: 0 Abstentions: 0 Motion unanimously carried.

**Resolution # 118/13/14—Approval of Warrants**

Motion by M. Wohlgemuth seconded by C. Gorman to approve and pay the outstanding Accounts Payable warrants for the period 4/1/14 thru 5/14/14 in the amount of \$1,257,899.05 Open for discussion. Vote: For: 6 Against: 0 Abstentions: 0 Motion unanimously carried.

**Resolution # 119/13/14—Approval of Capital Expenditures**

Motion by M. Wohlgemuth, seconded by S. Powderly to approve and pay the Capital Expenditures for the period 4/1/14 thru 5/14/14 in the amount of \$164,125.33 Open for discussion. Vote: For: 6 Against: 0 Abstentions: 0 Motion unanimously carried.

**Superintendent's Report**

M. Tierney reported on the status of the Water Authority as of May 27, 2014. Mr. Tierney responded to questions from Board members.

**Attorney's Report**

**Resolution # 120/13/14— Annual Salary Increase**

Upon motion of D. Longobardi, seconded by S. Powderly,

**BE IT RESOLVED**, that the annual salaries for all employees of the Water Authority of Western Nassau County (hereinafter "Water Authority"), other than those employees represented by a collective bargaining unit and the Chairman, are hereby adjusted to reflect a 2.5% per annum increase, effective June 1, 2014, to be paid in accordance with the current payroll system; and be it

**FURTHER RESOLVED**, that the salary range for all employees of the Water Authority, other than those employees represented by a collective bargaining unit and the Chairman, shall be adjusted to increase the ranges by 2.5% effective June 1, 2014; and be it

**FURTHER RESOLVED**, that the Board of Directors of the Water Authority hereby authorizes notification of the Nassau County Department of Civil Service accordingly.

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	Absent
Village of Garden City	<u>1.3</u>	Aye
<b>TOTAL</b>	<b>61.0</b>	

Motion unanimously carried.

**Resolution # 121/13/14—Approval of Capital Plan & Operating Plan**

**WHEREAS**, the Water Authority of Western Nassau County (hereinafter “Water Authority”) is a Public Authority organized pursuant to the New York State Public Authorities Law section 1198-a-et-seq.; and

**WHEREAS**, a budget for the Water Authority for the fiscal year June 1, 2014 through May 31, 2015, including both an Operating Plan and a Capital Plan, has been prepared by staff of the Water Authority, a copy of which is annexed hereto and made a part hereof; and

**WHEREAS**, the Board of Directors of the Water Authority, on behalf of the Water Authority has determined that it would be in the best interests of the Water Authority to adopt the aforesaid budget;

**NOW THEREFORE**, upon motion of D. Longobardi, seconded by B. Brown,

**BE IT RESOLVED**, that the Water Authority hereby adopts the annexed budget for the fiscal year June 1, 2014 through May 31, 2015, including both the Operating Plan and the Capital Plan.

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	Absent
Village of Garden City	<u>1.3</u>	Aye
<b>TOTAL</b>	<b>61.0</b>	

Motion unanimously carried.

**Resolution # 122/13/14—Fixing of Rates**

**WHEREAS**, pursuant to section 1198-f(21) of the Public Authorities Law (hereinafter “PAL”), the Water Authority of Western Nassau County (hereinafter “Water Authority”) has the power to fix rates for the water services to be rendered and the water to be furnished to its customers; and

**WHEREAS**, pursuant to Article 5, Title 8-C, Section 1198-f(21) of the PAL a Public Hearing was commenced by the Water Authority on May 27, 2014 with respect to fixing rates and for the collection of water service charges; and

**WHEREAS**, the aforesaid Public Hearing was held upon not less than fourteen days notice thereof to each customer by publication once in a newspaper having general circulation within the district;

**NOW THEREFORE**, upon motion of B. Brown, seconded by C. Gorman,

**BE IT RESOLVED**, that the following water rates are hereby adopted for the Town of Hempstead, Village of Floral Park, Village of New Hyde Park, Town of North Hempstead, Village of Stewart Manor, Village of Bellerose, Village of South Floral Park and Village of Garden City being all of the areas located within the Water Authority District, effective June 1, 2014 through May 31, 2015, which said rates and water service charges shall remain the same for each succeeding year unless changed by the Water Authority at a public hearing held in compliance with the Public Authorities Law:

**Rates:**

For all quantities of water used by customers billed quarterly, the following rates shall apply:

**Minimum Charge (Quarterly):**

For the first 9,000 gallons (100 gallons per day)

<u>Meter Size</u>	<u>Minimum Charge</u>
5/8'	\$38.29
3/4"	\$38.29
1"	\$38.29
1 1/2"	\$38.29
2"	\$38.29
3"	\$38.29
4"	\$38.29
6"	\$38.29
8"	\$38.29
10"	\$38.29

**Additional Consumption:**

For usage in excess of the minimum allowance:

For the next 96,000 gallons	\$3.683 per thousand gallons
All over 105,000 gallons	\$2.527 per thousand gallons

**Summer Surcharge:**

In addition to the above rates, water consumed from May 1<sup>st</sup> through August 31<sup>st</sup> will be subject to a summer surcharge as follows:

In excess of 100 gallons per day                      \$0 per thousand gallons

When a billing period falls into the summer period, the number of gallons falling into the summer period will be determined based on average daily usage for the entire billing period and the appropriate rates will be applied; and be it

**FURTHER RESOLVED**, that the Town of Hempstead, Village of Floral Park, Village of New Hyde Park, Village of Garden City, Bellerose Terrace Fire District, Elmont Fire District, Northwest Malverne Fire District, Franklin Square and Munson Fire District and South Franklin Square Fire Protection District shall be charged a hydrant rental fee of \$936.00 per hydrant location, per annum, within their respective jurisdictions; and be it

**FURTHER RESOLVED**, that private Fire Protection Rates (sprinkler rates) shall be as follows:

<u>Meter Size</u>	<u>Minimum Charge</u>
1"	\$13.48
1 1/2"	\$20.71
2"	\$31.04
2 1/2"	\$36.33
3"	\$53.90
4"	\$97.46
6"	\$199.12
8"	\$398.16
10"	\$547.01

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	Absent
Village of Garden City	<u>1.3</u>	Aye
<b>TOTAL</b>	<b>61.0</b>	

Motion unanimously carried.

**Resolution # 123/13/14—Retain Engineer**

**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-f(12) of the PAL, the Water Authority has the power to retain or employ engineers and private consultants on a contract basis or otherwise for rendering professional or technical services and advice; and

**WHEREAS**, the Board of Directors of the Water Authority, on behalf of the Water Authority has determined that it would be in the best interests of the Water Authority to retain H2M Architects & Engineers, P.C. (hereinafter “H2M”) as consulting engineers of the Water Authority, at the hourly rates contained in its proposal dated May 20, 2014;

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

**BE IT RESOLVED**, that H2M is hereby retained as consulting engineers to the Water Authority, to serve as required by the Water Authority at the hourly rates contained in its proposal dated May 20, 2014 for the period June 1, 2014 to May 31, 2015; and

**BE IT FURTHER RESOLVED**, that the Chairman of the Water Authority be and hereby is authorized to execute a contract with H2M in a form acceptable to Counsel for the Water Authority.

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	Absent
Village of Garden City	<u>1.3</u>	Aye
<b>TOTAL</b>	<b>61.0</b>	

Motion unanimously carried.

**Resolution # 124/13/14—Retain General Counsel**

**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-f(12) of the PAL, the Water Authority has the power to retain or employ counsel on a contract basis or otherwise for rendering professional or technical services and advice; and

**WHEREAS**, the Board of Directors of the Water Authority, on behalf of the Water Authority has determined that it would be in the best interests of the Water Authority to retain

the firm of Minerva & D'Agostino, P.C., as general counsel;

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

**BE IT RESOLVED**, that Minerva & D'Agostino, P.C. be appointed as general counsel to the Water Authority, upon the terms and conditions as the retainer letter dated May 20, 2010, at the annual rate of \$124,404.00 (One hundred twenty-four thousand, four hundred four dollars), which shall be paid in equally monthly installments for the period of June 1, 2014 to May 31, 2015.

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	Absent
Village of Garden City	<u>1.3</u>	Aye
<b>TOTAL</b>	<b>61.0</b>	

Motion unanimously carried.

**Resolution # 125/13/14—Readjustment of Voting Percentages**

**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 1109-D(3) (f) of the PAL, the Water Authority shall adjust the authorized number of votes of each member of the Board of Directors in accordance with the formula set forth in section 1198-d(3)(c); and

**WHEREAS**, the Board of Directors of the Water Authority desires to readjust the voting percentages of each member in compliance with section 1198-d(3)(f) effective March 25, 2014, as follows:

Town of Hempstead	26.2
Town of Hempstead	26.2
Village of Floral Park	17.7
Village of New Hyde Park	12.3
Town of North Hempstead	11.1
Village of Stewart Manor	2.3
Village of Bellerose	1.5
Village of South Floral Park	1.4
Village of Garden City	1.3

**NOW THEREFORE**, upon motion by M. Wohlgemuth, seconded by Dominick Longobardi,

**BE IT RESOLVED**, that the voting percentages of each member of the Board of Directors are hereby readjusted effective March 25, 2014 as follows:

Town of Hempstead	26.2
Town of Hempstead	26.2
Village of Floral Park	17.7
Village of New Hyde Park	12.3
Town of North Hempstead	11.1
Village of Stewart Manor	2.3
Village of Bellerose	1.5
Village of South Floral Park	1.4
Village of Garden City	1.3

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	Absent
Village of Garden City	<u>1.3</u>	Aye
<b>TOTAL</b>	<b>61.0</b>	

Motion unanimously carried.

**Resolution # 126/13/14—Approve Change Order**

**WHEREAS**, the Board of Directors of the Water Authority of Western Nassau County (hereinafter “Water Authority”) entered into a contract with Palace Electric (hereinafter “Palace”) to perform Electrical 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 an additional work order from Palace as detailed in the memorandum dated May 23, 2014 from Michael J. Tierney to the Board of Directors in the total amount of \$98,673.23 in connection with construction of Phase II (Main Building) of the Water Authority’s project to construct a new headquarters building; 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; and

**WHEREAS**, said payment represents the final payment of the retainage pursuant to the terms of the Construction Contract;



**NOW THEREFORE**, upon motion of M. Wohlgemuth, seconded by G. Bakich,

**BE IT RESOLVED**, that the additional work order from Palace as detailed in the memorandum dated May 23, 2014 from Michael J. Tierney to the Board of Directors in the total amount of \$98,673.23 is hereby approved; and be it;

**FURTHER RESOLVED**, that payment of said additional work order is hereby approved as an additional warrant item with payment to be made from the 2010 Bond Construction Fund; and be it

**FURTHER RESOLVED**, that said payment is approved as the final payment and release of retainage pursuant to the terms of the Construction Contract.

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	Absent
Village of Garden City	<u>1.3</u>	Aye
<b>TOTAL</b>	<b>61.0</b>	

Motion unanimously carried.

**Date of Next Meeting:** Monday June 30, 2014

**Public Comment:** None

**Resolution # 127/13/14—Executive Session**

Motion by D. Longobardi, seconded by B. Brown for the Board to go into Executive Session to discuss matters of labor. Open for discussion Vote: For 6 Against 0 Abstentions: 0  
Motion unanimously carried and the Board went into Executive Session at 8:05 PM.

**Resolution # 128/13/14—Executive Session**

Motion by D. Longobardi, seconded by B. Brown for the Board to come out of Executive Session. Open for discussion. Vote: For 6 Against 0 Abstentions: 0  
Motion unanimously carried and the Board came out of Executive Session at 9:00 PM.

**Resolution # 129/13/14—Salary Adjustment Debra Risetto**

Motion by D. Longobardi, seconded by S. Powderly to approve salary adjustment for Debra Risetto from \$25.39 to \$30.00 per hour effective June 1, 2014 plus the 2.5% annual increase.

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	Absent
Village of Garden City	<u>1.3</u>	Aye
<b>TOTAL</b>	<b>61.0</b>	

Motion unanimously carried.

**Resolution # 130/13/14—Salary Adjustment Harold Peragine**

Motion by D. Longobardi, seconded by S. Powderly to approve salary adjustment for Harold Peragine from \$25.39 to \$30.00 per hour effective June 1, 2014 plus the 2.5% annual increase.

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	Absent
Village of Garden City	<u>1.3</u>	Aye
<b>TOTAL</b>	<b>61.0</b>	

Motion unanimously carried.

**Resolution # 131/13/14—Salary Adjustment Paul Bosten**

Motion by D. Longobardi, seconded by S. Powderly to approve salary adjustment for Paul Bosten from \$30.43 to \$35.42 per hour effective June 1, 2014 plus the 2.5% annual increase.

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	Absent
Village of Garden City	<u>1.3</u>	Aye
<b>TOTAL</b>	<b>61.0</b>	

Motion unanimously carried.

**Resolution # 132/13/14—Salary Adjustment Daniel Tierney**

Motion by D. Longobardi, seconded by S. Powderly to approve salary adjustment for Daniel Tierney from \$30.43 to \$35.42 per hour effective June 1, 2014 plus the 2.5% annual increase.

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	Absent
Village of Garden City	<u>1.3</u>	Aye
<b>TOTAL</b>	<b>61.0</b>	

Motion unanimously carried.

**Resolution # 133/13/14—Adjournment**

Motion by G. Bakich, seconded by C. Gorman to adjourn. Open for discussion. Vote: For: 6 Against: 0 Abstentions: 0 Motion unanimously carried and the meeting was adjourned at 9:10 PM.

Respectfully submitted



Dominick Minerva  
Secretary