

WATER AUTHORITY OF WESTERN NASSAU COUNTY
Minutes of the Meeting of July 23, 2012

Location: 58 South Tyson Avenue, Floral Park

Attendance: George Bakich Town of Hempstead
Dominic Longobardi Village of Floral Park
Arlene McMullan Village of South Floral Park
Susan Powderly Village of Bellerose
Reid Sakowich Village of New Hyde Park
Marianna Wohlgemuth Town of North Hempstead

Absent: John E. Ryan Chairman
Bart Brown Village of Garden City
Chris Gorman Village of Stewart Manor
Aly Kayne Town of Hempstead

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

Architect: Angelo Corva

Water Authority: M. Tierney, Superintendent; J. Conroy, Treasurer

In the absence of Chairman Ryan, the meeting was called to order at 7:10 PM by J. Conroy who asked D. Longobardi to lead the salute to the flag.

Resolution Motion by M. Wohlgemuth seconded by D. Longobardi to approve the minutes of
#10/12/13 the May 29, 2012 meeting. Open for discussion. Vote: For: 6 Against: 0
Approval of Abstentions: 0 The minutes were unanimously approved as amended.
Minutes

Treasurer's Report: J. Conroy reported on the financial position of the Water Authority for the period 5/1/12 to 5/31/12. The report was made a part of the record and appended to the minutes.

Resolution Motion by M. Wohlgemuth seconded by D. Longobardi to approve and pay the
#11/12/13 outstanding Accounts Payable warrants for the period 5/1/12 thru 5/31/12 in the
Approval of amount of \$1,169,507.65. Open for discussion.
Warrants Vote: For: 6 Against: 0 Abstentions: 0 Motion unanimously carried.

Resolution Motion by D. Longobardi seconded by A. McMullan to approve capital
#12/12/13 expenditure items of the warrants from the Chase Capital Reserve fund in the
Bond Fund amount of \$63,933.56. Open for discussion.
Account Vote: For: 6 Against: 0 Abstentions: 0 Motion unanimously passed.

Ms. Wohlgemuth asked J. Conroy for a monthly reporting of the monies paid to vendors/subcontractors for the construction of the new headquarters. It was agreed to supply this information to the Board.

J. Conroy reported on the financial position of the Water Authority for the period 6/1/12 to 6/30/12. The report was made a part of the record and appended to the minutes.

Resolution Motion by D. Longobardi seconded by M. Wohlgemuth to approve and pay the
#13/12/13 outstanding Accounts Payable warrants for the period 6/1/12 thru 6/30/12 in the
Approval of amount of \$1,874,799.68. Open for discussion.
Warrants Vote: For: 6 Against: 0 Abstentions: 0 Motion unanimously carried.

Resolution Motion by M. Wohlgemuth seconded by G. Bakich to approve capital
#14/12/13 expenditure items of the warrants from the Chase Capital Reserve fund in the
Bond Fund amount of \$805,717.84. Open for discussion.
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 July 19, 2012. Mr. Tierney responded to questions from Board members.

Mr. Corva reported on the progress so far in getting the headquarters project up and running. He noted that progress meetings are held each Tuesday morning at 8:00 AM at the project site and invited Board members to attend if they wish to.

Attorney's Report:

Resolution **WHEREAS**, the Water Authority of Western Nassau County's (hereinafter
#15/12/13 "Water Authority") Workers' Compensation Insurance policy expires June 30,
Workers 2012, and

Compensation
Insurance **WHEREAS**, the Board of Directors of the Water Authority has received a memorandum from Janice R. Varley, Director of Human Resources, indicating that the Water Authority's insurance broker, J.A.F. Associates, solicited quotes for renewal of the insurance policy; and

WHEREAS, the aforesaid memorandum recommends that the Water Authority renew its Workers' Compensation Insurance policy with Hartford Insurance at the rates stated in aforesaid memorandum; and

WHEREAS, the Water Authority renewed its Workers' Compensation Insurance Policy with Hartford Insurance;

NOW THEREFORE, upon motion of M. Wohlgemuth, seconded by S. Powderly,

BE IT RESOLVED, that the Board of Directors of the Water Authority hereby

approves, ratifies and confirms the placement of the Water Authority’s Workers’ Compensation Insurance with Hartford Insurance for the period of July 1, 2012 through June 30, 2013 at the rates stated in the aforesaid memorandum.

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	Aye
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>	Absent
TOTAL	69.9	

Motion carried.

Resolution #16/12/13 Motion by M. Wohlgemuth, seconded by G. Bakich for the Board to go into Executive Session to discuss matters of personnel and contract.
Executive Session Open for discussion. Vote: For: 6 Against: 0 Abstentions: 0 Motion unanimously carried and the Board went into Executive Session at 8:00 PM.

Resolution #17/12/13 Motion by D. Longobardi, seconded by G. Bakich 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 8:25 PM.
Executive Session

Resolution #18/12/13 **WHEREAS**, the Water Authority of Western Nassau County (hereinafter “Water Authority”) has received a proposal from John Spellman, Esq. dated July 12, 2012 to serve as a hearing office in connection with charges against a certain employee pursuant to section 75 of the New York State Civil Service Law; and
Appointment Of Hearing Officer

WHEREAS, the aforesaid proposal includes an hourly rate of two hundred fifty (\$250.00) dollars per hour;

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

BE IT RESOLVED, that the Board of Directors of the Water Authority hereby approves the proposal dated July 12, 2012 from John Spellman, Esq. to serve as a hearing officer at the hourly rate of two hundred fifty (\$250.00) 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	Aye
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>	Absent
TOTAL	69.9	

Motion unanimously carried.

Resolution Upon motion of S. Powderly, seconded by A. McMullan,
#19/12/13

Authorization **BE IT RESOLVED**, that the Board of Directors of the Water Authority hereby
For Charges authorizes the filing of charges pursuant to section 75 of the New York State
Under Sect. Civil Service Law against a certain employee as disclosed in executive session.
75 of NYS
Civil Service
Law

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	Aye
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>	Absent
TOTAL	69.9	

Motion unanimously carried.

Resolution **WHEREAS**, the Water Authority of Western Nassau County (hereinafter
#20/12/13 “Water Authority”) is a Public Authority organized pursuant to New York State
Retain Public Authorities Law (hereinafter “PAL”) section 1198-a et seq.; and
Counsel

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, has retained the firm of Minerva & D’Agostino, P.C., as general counsel pursuant to a retainer letter dated May 20, 2010; and

WHEREAS, the aforesaid retainer agreement provides for additional services beyond the scope of services included in said agreement at the hourly rate of two hundred fifty (\$250.00) dollars; and

WHEREAS, the Board of Directors of the Water Authority is desirous of assigning charges against a certain employee pursuant to section 75 of the New York State Civil Service Law to the firm of Minerva & D’Agostino, P.C. as additional services at the rates stated in the aforesaid retainer agreement;

NOW THEREFORE, upon motion of M. Wohlgemuth, seconded by R. Sakowich,

BE IT RESOLVED, that Board of Directors hereby approves additional services to be rendered by Minerva & D’Agostino, P.C. at the rate of two hundred fifty (\$250.00) dollars per hour in accordance with the retainer letter dated May 20, 2010 to file charges against a certain employee pursuant to section 75 of the New York State Civil Service Law.

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	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>	Absent
TOTAL	69.9	

Motion unanimously carried.

Public Comment: None

Date of Next Meeting: August 27, 2012 – 7:00 PM.

Resolution #21/12/13 Motion by G. Bakich, seconded by M. Wohlgemuth to adjourn. Open for discussion. Vote: For: 6 Against: 0 Abstentions: 0 Motion unanimously carried

Adjournment and the meeting was adjourned at 8:30 PM.

Respectfully submitted,

Dominick M. Minerva
Secretary