

**WATER AUTHORITY OF WESTERN NASSAU COUNTY**  
**Minutes of the Meeting of July 28, 2014**

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

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

**Absent:** Aly Kayne Town of Hempstead  
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

Mr. Ryan called the meeting to order at 7:05 PM and asked D. Longobardi to lead the salute to the flag.

**Resolution #012/14/15 — Approval of Minutes**

Motion by M. Wohlgemuth seconded by C. Gorman to approve the Minutes of the meeting of July 1, 2014. Open for discussion. Vote: For: 7 Against: 0 Abstention: 0  
Motion unanimously carried and the minutes were accepted as presented.

**Treasurer's Report**

Mr. Conroy reported on the financial position of the Water Authority for the period 6/1/14 to 6/30/14. The report was made a part of the record and appended to the minutes.

**Resolution #013/14/15 — Approval of Warrants**

Motion by M. Wohlgemuth, seconded by B. Brown to approve and pay the outstanding Accounts Payable warrants for the period 6/1/14 thru 7/15/14 in the amount of \$1,192,504.01. Open for discussion. Vote: For: 7 Against: 0 Abstentions: 0 Motion unanimously carried.

**Resolution #014/14/15 — Approval of Capital Expenditures**

Motion by D. Longobardi, seconded by A. McMullan to approve capital expenditure items of the warrants from the Bank of New York Construction Fund 2010B in the amount of \$30,941.60. Open for discussion. Vote: For: 7 Against: 0 Abstentions: 0 Motion unanimously passed.

**Superintendent’s Report**

Mr. Tierney reported on the status of the Water Authority as of July 28, 2014.

**Attorney’s Report**

**Resolution #015/14/15 – Annual Contract: Zinc Phosphate Products**

**WHEREAS**, the Board of Directors of the Water Authority of Western Nassau County (hereinafter “Water Authority”) 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 in accordance with its requirements; and

**WHEREAS**, all such bid proposals received were opened and read publicly by the Water Authority, 1580 Union Turnpike, New Hyde Park, New York, on the 26<sup>th</sup> day of July, 2014, at 10:30 o’clock AM, the time and place specified in the public notice; and

**WHEREAS**, upon review of such bid proposals by the Water Authority, a written recommendation was sent to the Board of Directors by Robert Swartz, of the Water Authority, 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 has determined that Shannon Chemical Corporation is the lowest responsible bidder meeting the bid specifications;

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

**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 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 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 and roll call vote.

Town of Hempstead	26.2	Aye
Town of Hempstead	26.2	Absent
Village of Floral Park	17.7	Aye
Village of New Hyde Park	12.3	Absent
Town of North Hempstead	11.1	Aye
Village of Stewart Manor	2.3	Aye
Village of Bellerose	1.5	Aye
Village of South Floral Park	1.4	Aye
Village of Garden City	<u>1.3</u>	Aye
<b>TOTAL</b>	<b>61.5</b>	

Motion unanimously carried.

**Resolution #016/14/15 – Well 16A Emergency Motor Replacement**

**WHEREAS**, a memorandum was sent to the Board of Directors of the Water Authority of Western Nassau County (hereinafter “Water Authority”), by Michael J. Tierney, Superintendent, advising the Board of Directors that the motor for well pump 16A failed beyond repair and that a new motor was required to be purchased and installed as an emergency repair; and

**WHEREAS**, the aforesaid memorandum states that a proposal was received from Queens Industrial Electric for the sale and installation of a new motor for well pump 16A for the sum of \$13,545.50; and

**WHEREAS**, the Board of Directors has determined that an emergency repair was required and that contracting with Queens Industrial Electric to furnish and install a new motor for well pump 16A is in the best interests of the Water Authority;

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

**BE IT RESOLVED**, that the proposal of Queens Industrial Electric to furnish and install a new motor for well pump 16A in the sum of \$13,545.50 is hereby ratified and approved as an emergency repair; and

**BE IT FURTHER RESOLVED**, that the payment for the emergency repair is hereby authorized as an additional warrant item with payment to be made from the 2010 revenue bond construction fund.

Open for discussion and roll call vote.

Town of Hempstead	26.2	Aye
Town of Hempstead	26.2	Absent
Village of Floral Park	17.7	Aye
Village of New Hyde Park	12.3	Absent
Town of North Hempstead	11.1	Aye
Village of Stewart Manor	2.3	Aye
Village of Bellerose	1.5	Aye
Village of South Floral Park	1.4	Aye
Village of Garden City	<u>1.3</u>	Aye
<b>TOTAL</b>	<b>61.5</b>	

Motion unanimously carried.

**Resolution #017/14/15 – Environmental Capital**

**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 professional consultants on a contract basis or otherwise for rendering professional or technical services and advice; and

**WHEREAS**, the Water Authority has been made aware that the Securities and Exchange Commission is reviewing the bond offerings of municipalities within the last 5 years for compliance with the bond covenants; and

**WHEREAS**, the Water Authority has issued bonds within the last 5 years that would be subject to review; and

**WHEREAS**, the Board of Directors of the Water Authority has received a proposal from Environmental Capital, LLC to perform a review for the Water Authority of its compliance with the bond covenants on an hourly basis for a sum not to exceed \$3,500.00; and

**WHEREAS**, the Board of Directors has determined that it would be in the best interests of the Water Authority to retain Environmental Capital, LLC to perform said review;

**NOW THEREFORE**, upon motion of A. McMullan, seconded by S. Powderly,

**BE IT RESOLVED**, that Environmental Capital, LLC is hereby retained to perform the review of the Water Authority’s compliance with its bond covenants in accordance with its proposal on an hourly basis not to exceed \$3,500.00; and

**BE IT FURTHER RESOLVED**, that the Chairman is hereby authorized to execute a contract with Environmental Capital, LLC in a form acceptable to Counsel for the Water Authority.

Open for discussion and roll call vote.

Town of Hempstead	26.2	Aye
Town of Hempstead	26.2	Absent
Village of Floral Park	17.7	Aye
Village of New Hyde Park	12.3	Absent
Town of North Hempstead	11.1	Aye
Village of Stewart Manor	2.3	Aye
Village of Bellerose	1.5	Aye
Village of South Floral Park	1.4	Aye
Village of Garden City	<u>1.3</u>	Aye
<b>TOTAL</b>	<b>61.5</b>	

Motion unanimously carried.

**Resolution #018/14/15 – IRP Change Order**

**WHEREAS**, the Board of Directors of the Water Authority of Western Nassau County (hereinafter “Water Authority”) has received a memorandum from Michael J. Tierney,

Superintendent dated July 23, 2014 recommending that the Board of Directors of the Water Authority approve a change order submitted in connection with the iron removal facilities projects by the general construction contractor, RJ Industries, Inc. referred to as Change Order No. 3G, resulting in an increase of the approved contract prices of \$10,330.34; and

**WHEREAS**, the aforesaid memorandum indicates that the change order is necessitated as a result of fire and water damage to the doors and roof at Well Station 28 and that the Water Authority has submitted a claim to its insurance carrier for reimbursement; and

**WHEREAS**, the Board of Directors of the Water Authority has determined that it is in the best interest of the Water Authority to approve the aforementioned Change Order No. 3G;

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

**BE IT RESOLVED**, that Change Order No. 3G is hereby approved as described in the memorandum dated July 23, 2014 from Michael J. Tierney, Superintendent resulting in an increase of the approved contract price of \$10,330.34 necessitated as a result of fire and water damage to the doors and roof at Well Station 28 in which the Water Authority has submitted a claim to its insurance carrier for reimbursement.

Open for discussion and roll call vote.

Town of Hempstead	26.2	Aye
Town of Hempstead	26.2	Absent
Village of Floral Park	17.7	Aye
Village of New Hyde Park	12.3	Absent
Town of North Hempstead	11.1	Aye
Village of Stewart Manor	2.3	Aye
Village of Bellerose	1.5	Aye
Village of South Floral Park	1.4	Aye
Village of Garden City	<u>1.3</u>	Aye
<b>TOTAL</b>	<b>61.5</b>	

Motion unanimously carried.

**Resolution #019/14/15 – Engineering Services: Air Stripping Tower Emissions Testing**

**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 Water Authority requires the services of an engineer to perform an evaluation of the packed tower aeration/air stripping tower emissions for the six (6) towers owned by the Water Authority as directed by the Nassau County Department of Health (hereinafter “NCDH”); and

**WHEREAS**, the Water Authority issued a request for proposals to perform the evaluation; and

**WHEREAS**, the Board of Directors has received a memorandum from Robert Swartz of the Water Authority recommending approval of the proposal from D & B Engineers and Architects, P.C. (known as Dvirka & Bartilucci Consulting Engineers) (hereinafter “ D&B Engineers”) in the sum of \$12,000.00 to perform the evaluation; and

**WHEREAS**, 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 D&B Engineers to perform the evaluations required by the NCDH, in accordance with its proposal;

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

**BE IT RESOLVED**, that D&B Engineers is hereby retained to perform the evaluations of the emissions from the six (6) packed tower aeration/air stripping towers owned by the Water Authority as required by the NCDH, in accordance with its proposal in the sum of \$12,000.00; and

**BE IT FURTHER RESOLVED**, that the Chairman is hereby authorized to execute a contract with D&B Engineers in a form acceptable to Counsel to the Water Authority.

Open for discussion and roll call vote.

Town of Hempstead	26.2	Aye
Town of Hempstead	26.2	Absent
Village of Floral Park	17.7	Aye
Village of New Hyde Park	12.3	Absent
Town of North Hempstead	11.1	Aye
Village of Stewart Manor	2.3	Aye
Village of Bellerose	1.5	Aye
Village of South Floral Park	1.4	Aye
Village of Garden City	<u>1.3</u>	Aye
<b>TOTAL</b>	<b>61.5</b>	

Motion unanimously carried.

**Resolution #020/14/15 – Bench Strength Partners, Inc.**

**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 architects and private consultants on a contract basis or otherwise for rendering professional or technical services and advice; and

**WHEREAS**, the Water Authority has received a proposal on July 8, 2014 from Bench Strength Partners, Inc. to perform antenna lease negotiation services for the Water Authority for a percentage fee of the increased revenue; 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 contract with Bench Strength Partners, Inc. to perform antenna lease negotiation services for the Water Authority for a percentage fee of the increased revenue;

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

**BE IT RESOLVED**, that the proposal received from Bench Strength Partners, Inc. on July 8, 2014 to perform antenna lease negotiation services for the Water Authority for a percentage fee of the increased revenue is hereby approved; and

**BE IT FURTHER RESOLVED**, that the Chairman is hereby authorized to execute a contract with Bench Strength Partners, Inc. in a form acceptable to Counsel for the Water Authority.

Open for discussion and roll call vote.

Town of Hempstead	26.2	Aye
Town of Hempstead	26.2	Absent
Village of Floral Park	17.7	Aye
Village of New Hyde Park	12.3	Absent
Town of North Hempstead	11.1	Aye
Village of Stewart Manor	2.3	Aye
<i>Village of Bellerose</i>	<i>1.5</i>	<i>Recused</i>
Village of South Floral Park	1.4	Aye
Village of Garden City	<u>1.3</u>	Aye
<b>TOTAL</b>	<b>60.0</b>	

Motion carried.

**Date of Next Meeting:** August 25, 2014

**Public Comment:** Fire Chief Michael Dolan of New Hyde Park Fire Department addressed the Board of Directors regarding tank painting, hydrant flushing and flags for hydrants.

**Resolution #021/14/15 – Executive Session**

Motion by D. Longobardi, seconded by B. Brown for the Board to go into Executive Session to discuss matters of union negotiations and litigation. Open for discussion.

Vote: For: 7 Against: 0 Abstentions: 0

Motion passed and the Board went into Executive Session at 7:50 PM.

**Resolution #022/14/15 – Executive Session**

Motion by C. Gorman seconded by B. Brown for the Board to come out of Executive Session.

Open for discussion. Vote: For: 7 Against: 0 Abstentions: 0 Motion passed and the Board came out of Executive Session at 8:15 PM.

**Resolution #023/14/15 – Architectural Services (58 S. Tyson Ave.)**

**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 architects and private consultants on a contract basis or otherwise for rendering professional or technical services and advice; and

**WHEREAS**, the Water Authority has received a proposal dated June 30, 2014 from Angelo Francis Corva & Associates, Architects (hereinafter “Corva”) to provide architectural services in connection with the Water Authority’s lease of 58 South Tyson Avenue, Floral Park, New York in the fixed sum of \$13,500.00; 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 contract with Corva to perform the requested services in connection with the Water Authority’s lease of 58 South Tyson Avenue, Floral Park, New York;

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

**BE IT RESOLVED**, that Corva’s proposal dated June 30, 2014 to perform the requested architectural services in connection with the Water Authority’s lease of 58 South Tyson Avenue, Floral Park, New York is hereby approved in the fixed sum of \$13,500.00; and

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

Open for discussion and roll call vote.

Town of Hempstead	26.2	Aye
Town of Hempstead	26.2	Absent
Village of Floral Park	17.7	Aye
Village of New Hyde Park	12.3	Absent
Town of North Hempstead	11.1	Aye
Village of Stewart Manor	2.3	Aye
Village of Bellerose	1.5	Aye
Village of South Floral Park	1.4	Aye
Village of Garden City	<u>1.3</u>	Aye
<b>TOTAL</b>	<b>61.5</b>	

Motion unanimously carried.

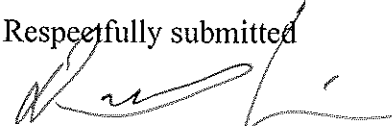


**Resolution #024/14/15 —Adjournment**

Motion by G. Bakich, seconded by S. Powderly to adjourn. Open for discussion.

Vote: For: 7 Against: 0 Abstentions: 0 Motion unanimously carried and the meeting was adjourned at 8:16 PM.

Respectfully submitted

A handwritten signature in black ink, appearing to read 'Dominick Minerva', written over the typed name.

Dominick Minerva  
Secretary