WATER AUTHORITY OF WESTERN NASSAU COUNTY
Minutes of the Meeting of September 21, 2015

Location: 1580 Union Turnpike, New Hyde Park

Attendance:	George Bakich	Town of Hempstead
	Bart Brown	Village of Garden City
	Chris Gorman	Village of Stewart Manor (arrived 7:25 PM)
	Greg Ifill	Village of South Floral Park
	Dominick Longobardi	Village of Floral Park
	Susan Powderly	Village of Bellerose
	Cherie Zacker	Town of Hempstead
Absent:	Reid Sakowich	Village of New Hyde Park
	Marianna Wohlgemuth	Town of North Hempstead

Water Authority: M. Tierney, Superintendent; R. Swartz, Chief Engineer; J. Corbisiero, Director of Plant Operations; A. Kolakowski, Director, Accounting & Customer Service; J. Varley, Director of Human Resources

Legal Counsel: Dominick Minerva, Minerva & D'Agostino, P.C.
Engineer: D. Kelleher, H2M Group

Mr. Ryan called the meeting to order at 7:00 PM with the Salute to the Flag led by G. Bakich.

Resolution #036/15/16 — Approval of Minutes

Motion by D. Longobardi, seconded by C. Zacker to approve the Minutes of the meeting of August 31, 2015. Open for discussion. Vote: For: 6 Against: 0 Abstentions: 0 Motion unanimously carried and the minutes were accepted as distributed.

Treasurer's Report - None. Mr. Tierney will have A. Kolakowski provide Treasurer's Report for next board meeting.

Resolution #037/15/16 —Approval of Warrants

Motion by G. Ifill, seconded by D. Longobardi to approve and pay the outstanding Accounts Payable warrants for the period 8/18/15 thru 9/9/15 in the amount of $1,058,609.46. Open for discussion. Mr. Tierney addressed questions from the Board. Vote: For: 6 Against: 0 Abstentions: 0 Motion unanimously carried.

Resolution #038/15/16 – Approval of Capital Expenditures

Motion by D. Longobardi, seconded by G. Bakich to approve capital expenditure items of the warrants from the Bank of New York Construction Fund 2010B in the amount of $51,197.63. Open for discussion. Vote: For: 6 Against: 0 Abstentions: 0 Motion unanimously passed.

Superintendent's Report

Mr. Tierney reported on the status of the Water Authority as of September 18, 2015 and addressed questions from the Board. Mr. Ryan, Mr. Minerva and Mr. Tierney provided the Board with an update regarding the status of the roof leak repairs.

Attorney's Report

Resolution #039/15/16 – Contract Extension – Bleach Delivery

WHEREAS, the Board of Directors of the Water Authority of Western Nassau County (hereinafter "Water Authority") by Resolution authorized the execution of a one year contract with a one year option, to be exercised in the sole discretion of the Water Authority, to supply bleach to the Water Authority, in accordance with its requirements; and

WHEREAS, Article 9 of the aforesaid contract provides the Water Authority with the option to elect to extend the terms of the contract for an additional one year term, upon written notice provided not later than ninety days prior to the expiration of the contract; and

WHEREAS a written recommendation was sent to the Board of Directors by Robert Swartz, Chief Engineer of the Water Authority, recommending extending the terms of the aforesaid contract for an additional one year term;

NOW THEREFORE, upon motion of B. Brown, seconded by G. Bakich,

BE IT RESOLVED, that the Chairman of the Water Authority be and hereby is authorized to transmit written notification to H. Krevit & Company, Inc. of the Water Authority's exercise of its option to extend the terms of the aforesaid contract for an additional one year term.

Open for discussion and roll call vote.

Town of Hempstead	26.2	Aye
Town of Hempstead	26.2	Aye
Village of Floral Park	17.7	Aye
Village of New Hyde Park	12.3	Absent
Town of North Hempstead	11.1	Absent
Village of Stewart Manor	2.3	Absent
Village of Bellerose	1.5	Aye
Village of South Floral Park	1.4	Aye
Village of Garden City	1.3	Aye
TOTAL	**74.3**	

Motion unanimously carried.

Resolution #040/15/16 – Contract Extension – Water Main Installation

WHEREAS, the Board of Directors of the Water Authority of Western Nassau County (hereinafter "Water Authority") entered into an agreement with Merrick Utility Associates to perform water main installation services for 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 an additional one year term, upon ninety days written notice, with no price increase; and

WHEREAS, a written recommendation was sent to the Board of Directors by Robert Swartz, Chief Engineer of the Water Authority, recommending extending the term of the aforesaid contract for the additional one year term;

NOW THEREFORE, upon motion of G. Ifill, seconded by S. Powderly,

BE IT RESOLVED, that the Chairman of the Water Authority be and hereby is authorized to transmit written notification to Merrick Utility Associates of the Water Authority's exercise of its option, to extend the term of the aforesaid contract for the additional one year term.

Open for discussion and roll call vote.

Town of Hempstead	26.2	Aye
Town of Hempstead	26.2	Aye
Village of Floral Park	17.7	Aye
Village of New Hyde Park	12.3	Absent
Town of North Hempstead	11.1	Absent
Village of Stewart Manor	2.3	Absent
Village of Bellerose	1.5	Aye
Village of South Floral Park	1.4	Aye
Village of Garden City	1.3	Aye
TOTAL	**74.3**	

Motion unanimously carried.

Resolution #041/15/16 – Contract Extension – Paving

WHEREAS, the Board of Directors of the Water Authority of Western Nassau County (hereinafter "Water Authority") entered into an agreement with DeRosa Paving Inc. to perform annual paving services for 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 an additional one year term, upon ninety days written notice, with no price increase; and

WHEREAS, a written recommendation was sent to the Board of Directors by Robert Swartz, Chief Engineer of the Water Authority, recommending extending the term of the aforesaid contract for the additional one year term;

NOW THEREFORE, upon motion of C. Zacker, seconded by G. Bakich,

BE IT RESOLVED, that the Chairman of the Water Authority be and hereby is authorized to transmit written notification to DeRosa Paving Inc. of the Water Authority's exercise of its option, to extend the term of the aforesaid contract for the additional one year term.

Open for discussion and roll call vote.

Town of Hempstead	26.2	Aye
Town of Hempstead	26.2	Aye
Village of Floral Park	17.7	Aye
Village of New Hyde Park	12.3	Absent
Town of North Hempstead	11.1	Absent
Village of Stewart Manor	2.3	Absent
Village of Bellerose	1.5	Aye
Village of South Floral Park	1.4	Aye
Village of Garden City	1.3	Aye
TOTAL	**74.3**	

Motion unanimously carried.

Resolution #042/15/16 – Annual Contract – Caustic Soda Delivery

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 be exercised in the sole discretion of the Water Authority, to supply caustic soda (25% sodium hydroxide) and caustic soda (8% sodium hydroxide) 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 16th day of September, 2015 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, Chief Engineer of the Water Authority, stating that H. Krevit and Company 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 H. Krevit and Company is the lowest responsible bidder meeting the bid specifications; and

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

BE IT RESOLVED, that the bid proposal of H. Krevit and Company 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, to be exercised in the sole discretion of the Water Authority, with H. Krevit and Company to supply caustic soda (25% sodium hydroxide) 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	Aye
Village of Floral Park	17.7	Aye
Village of New Hyde Park	12.3	Absent
Town of North Hempstead	11.1	Absent
Village of Stewart Manor	2.3	Absent
Village of Bellerose	1.5	Aye
Village of South Floral Park	1.4	Aye
Village of Garden City	1.3	Aye
TOTAL	**74.3**	

Motion unanimously carried.

Resolution #043/15/16 – Annual Contract – Cleaning Services

WHEREAS, four proposals were received by the Water Authority of Western Nassau County (hereinafter "Water Authority") for a public works contract to perform housekeeping services at 1580 Union Turnpike, New Hyde Park, New York in response to requests from four contractors; and

WHEREAS, upon review of such proposals, the Board of Directors of the Water Authority has determined it is in the best interests of the Water Authority to accept the proposal of Vanguard Cleaning Systems;

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

BE IT RESOLVED, that the proposal of Vanguard Cleaning Systems 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 public works contract with Vanguard Cleaning Systems for one year, to perform cleaning services at 1580 Union Turnpike, New Hyde Park, New York, for an annual price of $20,400.00 ($1,700 per month).

Open for discussion and roll call vote.

Town of Hempstead	26.2	Aye
Town of Hempstead	26.2	Aye
Village of Floral Park	17.7	Aye
Village of New Hyde Park	12.3	Absent
Town of North Hempstead	11.1	Absent
Village of Stewart Manor	2.3	Absent
Village of Bellerose	1.5	Aye
Village of South Floral Park	1.4	Aye
Village of Garden City	1.3	Aye
TOTAL	**74.3**	

Motion unanimously carried

Resolution #044/15/16 – Customer Transfer and Capital Improvements

WHEREAS, the Water Authority of Western Nassau County (hereinafter "Water Authority") has been servicing 76 customers located outside of the Water Authority's service territory in Valley Stream near the Queens County border since the inception of the Water Authority in May, 1996 through water mains owned by the City of New York; and

WHEREAS, the Water Authority is desirous of transferring these customers to New York American Water as the customers are located within their service territory; and

WHEREAS, New York American Water indicated that it will accept these customers and undertake the capital improvements necessary to complete same for their portion of the work; and

WHEREAS, the City of New York indicated that it is in agreement to transfer the customers; and

WHEREAS, the existing mains that service these customers are in a poor state and need to be upgraded; and

WHEREAS, New York American Water indicated that it will replace the City of New York water mains with its own new upgraded water mains to improve the service to these customers; and

WHEREAS, the Water Authority is desirous of performing the capital improvements necessary to transfer the customers to New York American Water and to upgrade the water mains servicing the remaining customers in this area that are located within the Water Authority service territory;

NOW THEREFORE, upon motion of C. Zacker, seconded by D. Longobardi,

BE IT RESOLVED, that the Board of Directors of the Water Authority hereby approves the transfer of the customers it is currently servicing outside its service territory to New York American Water; and

BE IT FURTHER RESOLVED, that the Board of Directors of the Water Authority approves the capital project necessary to effectuate the transfer of the customers to New York American Water and to upgrade the water mains servicing the remaining customers in this area within the Water Authority service territory utilizing the annual water main installation contract vendor, the annual paving contract vendor and the annual hydrant supply contractor vendor at an estimated cost of $327,700.00; and

BE IT FURTHER RESOLVED, that the Chairman of the Water Authority be and hereby is authorized to execute any documents necessary to effectuate the transfer in a form satisfactory to counsel to the Water Authority.

Open for discussion and roll call vote.

Town of Hempstead	26.2	Aye

Town of Hempstead	26.2	Aye
Village of Floral Park	17.7	Aye
Village of New Hyde Park	12.3	Absent
Town of North Hempstead	11.1	Absent
Village of Stewart Manor	2.3	Absent
Village of Bellerose	1.5	Aye
Village of South Floral Park	1.4	Aye
Village of Garden City	1.3	Aye
TOTAL	**74.3**	

Motion unanimously carried

Resolution #045/15/16 – Contract Award – Air Stripper Treatment Safety Upgrades

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 contract to install new air stripper treatment safeties at Station Nos. 20, 35, 40, 44 and 57 of the Water Authority as required by the Nassau County Department of Health; and

WHEREAS, all such bid proposals received were opened and publicly by the Water Authority, 1580 Union Turnpike, New Hyde Park, New York on the 3rd day of September 2015, 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 forwarded to the Board of Directors by Dennis M. Kelleher of H2M Water, the Water Authority's consulting engineer, stating that Bensin Contracting Co. 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 Bensin Contracting, Co. is the lowest responsible bidder meeting the bid specifications;

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

BE IT RESOLVED, that the Chairman of the Water Authority be and hereby is authorized to execute a contract with Bensin Contracting Co. to install new air stripper treatment safeties at Station Nos. 20, 35, 40, 44 and 57, for the price of $302,200.00 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	Aye
Village of Floral Park	17.7	Aye
Village of New Hyde Park	12.3	Absent
Town of North Hempstead	11.1	Absent
Village of Stewart Manor	2.3	Absent
Village of Bellerose	1.5	Aye

Village of South Floral Park	1.4	Aye
Village of Garden City	1.3	Aye
TOTAL	**74.3**	

Motion unanimously carried

Resolution #046/15/16 – Construction Administration Services for the AST Upgrade Project

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 previously entered into a contract with H2M Water to provide engineering consulting services to the Water Authority for the 2015/2016 fiscal year; and

WHEREAS, the Water Authority requires the services of an engineer to perform construction administration services in connection with the project to install air stripper treatment safeties at Station Nos. 20, 35, 40, 44 and 57; and

WHEREAS, the Water Authority's consulting engineer, H2M Water, submitted a proposal in the amount of $41,700.00 to perform the requested construction administration services; and

WHEREAS, the Board of Directors of the Water Authority has determined that it would be in the best interests of the Water Authority to approve the proposal of H2M Water to perform the construction administration services for the Water Authority;

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

BE IT RESOLVED, that the proposal of H2M Water to perform construction administration services in connection with the project to install air stripper treatment safeties at Station Nos. 20, 35, 40, 44 and 57, is approved as additional services in accordance with its proposal in the sum of $41,700.00.

Open for discussion and roll call vote.

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

TOTAL	**74.3**

Motion unanimously carried

(Mr. Gorman joined the meeting at 7:25 PM)

Resolution #047/15/16 – Design & Construction for New Wellhead Treatment Systems for VOC Removal at Station Nos. 15A, 15B, 15C, 15D and 15E

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 desires to construct Wellhead Treatment facilities for Volatile Organic Compound (VOC) removal for Well Nos. 15A, 15B, 15C, 15D and 15E and requires an engineer to design said facilities and perform construction administration services; and

WHEREAS, the Water Authority's consulting engineer, H2M Water, submitted a proposal dated August 18, 2015, revised September 18, 2015 in the sum of $2,151,500.00 to perform the requested design and construction administration services; and

WHEREAS, the Board of Directors of the Water Authority, has determined that it would be in the best interests of the Water Authority to approve the proposal of H2M Water to perform the design and construction administration services for the Water Authority including tasks A, B and C of said proposal;

NOW THEREFORE, upon motion of D. Longobardi, seconded by C. Zacker,

BE IT RESOLVED, that H2M Water is hereby retained as engineers to design the facilities for the Water Authority in accordance with its proposal for tasks A, B and C of said proposal in the sum of $2,151,500.00; and

BE IT FURTHER RESOLVED, that the Chairman of the Water Authority is hereby authorized to execute a contract with H2M Water 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	Aye
Village of Floral Park	17.7	Aye
Village of New Hyde Park	12.3	Absent
Town of North Hempstead	11.1	Absent
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	1.3	Aye
TOTAL	**76.6**	

Motion unanimously carried

Resolution #048/15/16 – Executive Session: Motion by G. Bakich, seconded by C. Zacker for the Board to go into Executive Session to discuss matters of Litigation and Personnel.

Open for discussion. Vote: For: 7 Against: 0 Abstentions: 0 The vote was unanimous and the Board went into Executive Session at 7:40 PM.

Resolution #049/15/16 – Executive Session: Motion by C. Zacker, seconded by G. Bakich for the Board to come out of Executive Session: Open for discussion.
Vote: For: 7 Against: 0 Abstentions: 0 The vote was unanimous, and the Board came out of Executive Session at 7:45 PM.

Resolution #050/15/16: Settlement of Lease – 58 South Tyson Avenue, Floral Park

WHEREAS, the Water Authority of Western Nassau County (hereinafter "Water Authority") entered into a lease dated April 25, 1996 with William Giffords Properties, Inc. (hereinafter "Landlord") for the premises known as 58 South Tyson Avenue, Floral Park, New York for the purpose of its headquarters building and lease modification and extension agreements dated November 9, 2007, January 2010 and April 2012 (hereinafter collectively referred to as the "Lease"); and

WHEREAS, the Lease required the Water Authority to complete certain repair items and restoration of the property prior to delivery of possession to the Landlord; and

WHEREAS, the Landlord, by letter dated June 17, 2014 from its counsel, Ruskin, Moscou, Faltischeck, P.C. filed a notice of claim in the amount of $441,498.00 alleging the Water Authority breached the Lease by failing to perform the repair items and restoration provided for in the Lease; and

WHEREAS, the Water Authority, by letter dated June 24, 2014 from its counsel, Minerva & D'Agostino, P.C. disputed the claim; and

WHEREAS, the parties engaged in substantial settlement negotiations of the dispute since the filing of the notice of claim and have reached a settlement agreement providing for the Water Authority to make a payment of $80,000.00 and forfeit any interest in the $20,000.00 security deposit to the Landlord in return for mutual releases; and

WHEREAS, the Board of Directors of the Water Authority has determined that it is in the best interest of the Water Authority to settle the claim to avoid the cost of litigation and the potential award of damages exceeding the settlement amount;

NOW THEREFORE, upon motion of D. Longobardi, seconded by C. Gorman,

BE IT RESOLVED, that the Board of Directors of the Water Authority hereby approve the settlement of the Landlord's claim providing for a payment in the amount of $80,000.00 and forfeit any interest in the $20,000.00 security deposit to the Landlord in return for mutual releases, subject to mutual releases and a settlement agreement in a form acceptable to counsel to the Water Authority; and

BE IT FURTHER RESOLVED, that the Chairman of the Water Authority be and hereby is authorized to execute the mutual releases and settlement agreement.

Open for discussion and vote. Vote: For: 7 Against: 0 Abstentions: 0 The vote was unanimous and the motion carried.

Date of Next Meeting: October 26, 2015

Public Comment: None

Resolution #051/15/16 - Adjournment

Motion by G. Bakich, seconded by G. Ifill to adjourn. Open for discussion.
Vote: For: 7 Against: 0 Abstentions: 0 Motion unanimously carried and the meeting was adjourned at 7:50 PM.

Respectfully submitted,

Dominick Minerva
Secretary