

WATER AUTHORITY OF WESTERN NASSAU COUNTY
Minutes of the Meeting of May 26, 2015

Location: 1580 Union Turnpike, New Hyde Park

Attendance:	George Bakich	Town of Hempstead
	Greg Ifill	Village of South Floral Park
	Dominick Longobardi	Village of Floral Park
	Susan Powderly	Village of Bellerose
	Reid Sakowich	Village of New Hyde Park
	Marianna Wohlgemuth	Town of North Hempstead
	Cherie Zacker	Town of Hempstead

Absent	Bart Brown	Village of Garden City
	Chris Gorman	Village of Stewart Manor

Water Authority: M. Tierney, Superintendent, J. Conroy, Treasurer, A. Kolakowski, Director of Finance, J. Varley, Director of Human Resources, C. DeFina, Staff Accountant

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

Engineer: D. Kelleher, H2M Group

Consultant: W. Merklin, D&B Engineers & Architects, P.C.

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

Resolution #111/14/15 – Public Hearing: Motion by S. Powderly, seconded by D. Longobardi to open the Public Hearing with regard to the fixing of water rates and adoption of the Operating and Capital Plans for the fiscal year June 1, 2015 to May 31, 2015. Open for discussion. Vote: For: 7 Against: 0 Abstentions: 0 The Public Hearing was opened at 7:10 PM.

Resolution #112/14/15 – Executive Session: Motion by R. Sakowich, seconded by M. Wohlgemuth for the Board to go into Executive Session to discuss a matter of employment. Open for discussion. Vote: For: 7 Against: 0 Abstentions: 0. The vote was unanimous and the Board went into Executive Session at 7:10 PM.

Resolution #113/14/15 – Executive Session: Motion by R. Sakowich, seconded by M. Wohlgemuth 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 7:25 PM. No action was taken in Executive Session.

Resolution #114/14/15 – Public Hearing: Motion by D. Longobardi, seconded by G. Bakich to close the Public Hearing. Open for discussion. Vote: For: 7 Against: 0 Abstentions: 0 The vote was unanimous and the Public Hearing was closed at 8:10 PM.

Resolution #115/14/15 — Approval of Minutes

Motion by M. Wohlgemuth, seconded by G. Bakich to approve the Minutes of the meeting of April 20, 2015. Open for discussion. Vote: For: 7 Against: 0 Abstentions: 0 Motion unanimously carried and the minutes were accepted as distributed.

Treasurer's Report

Mr. Conroy reviewed the financial position of the Water Authority for the period April 8, 2015 to May 13, 2015.

Resolution #116/14/15 — Approval of Warrants

Motion by M. Wohlgemuth, seconded by G. Ifill to approve and pay the outstanding Accounts Payable warrants for the period 4/8/15 thru 5/13/15 in the amount of \$1,218,667.28. Open for discussion. Mr. Tierney addressed questions from the Board. Vote: For: 7 Against: 0 Abstentions: 0 Motion unanimously carried.

Resolution #117/14/15 – Approval of Capital Expenditures

Motion by M. Wohlgemuth, seconded by D. Longobardi to approve capital expenditure items of the warrants from the Bank of New York Construction Fund 2010B in the amount of \$47,818.98. Open for discussion. Vote: For: 7 Against: 0 Abstentions: 0 Motion unanimously passed.

Mr. Ryan introduced Cherie Zacker who was appointed to represent the Town of Hempstead.

Superintendent's Report

Mr. Tierney reported on the status of the Water Authority as of May 22, 2015 and addressed questions from the Board.

Attorney's Report

Resolution #118/14/15 – Salary Increases and Salary Range Adjustment

Upon motion of R. Sakowich, seconded by M. Wohlgemuth,

BE IT RESOLVED, that the annual salaries for all employees of the Water Authority other than the Chairman and those employees represented by a collective bargaining unit are hereby adjusted to reflect a 2.25% per annum increase, effective June 1, 2015, to be paid in accordance with the current payroll system; and

BE IT FURTHER RESOLVED, that the salary ranges for all positions of the Water Authority of Western Nassau County (hereinafter "Water Authority") other than those positions held by the employees represented by a collective bargaining unit shall be adjusted to increase the minimum and maximum salaries by 2.25%, effective June 1, 2015; and

BE IT FURTHER RESOLVED, that the Board of Directors of the Water Authority hereby authorizes notification of the Nassau County Civil Service Commission accordingly.

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	Aye
Town of North Hempstead	11.1	Aye
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	Absent
TOTAL	96.4	

Motion unanimously carried.

Resolution #-119/14/15 – Adoption of Operating & Capital Plans for Fiscal Year June 1, 2015 to May 31, 2016

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 (hereinafter “PAL”) section 1198-a et seq.; and

WHEREAS, a budget for the Water Authority for the fiscal year June 1, 2015 through May 31, 2016, 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 G Bakich,

BE IT RESOLVED, that the Water Authority hereby adopts the annexed budget for the fiscal year June 1, 2015 through May 31, 2016, including both the Operating Plan and the Capital Plan.

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	Aye
Town of North Hempstead	11.1	Aye
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	<u>1.3</u>	Absent
TOTAL	96.4	

Motion unanimously carried.

Resolution #-120/14/15 – Adoption of Water Rates Effective June 1, 2015

WHEREAS, pursuant to section 1198-f(21) of the Public Authorities Law, 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 Public Authorities Law, a Public Hearing was commenced by the Water Authority on May 26, 2015 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 D. Longobardi, seconded by S. Powderly,

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, 2015 through May 31, 2016, 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”	\$41.51
3/4”	\$41.51
1”	\$41.51
1 1/2”	\$41.51
2”	\$41.51
3”	\$41.51
4”	\$41.51

6"	\$41.51
8"	\$41.51
10"	\$41.51

Additional Consumption:

For usage in excess of the minimum allowance:

For the next 96,000 gallons	\$3.993 per thousand gallons
All over 105,000 gallons	\$2.739 per thousand gallons

Summer Surcharge:

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

In excess of 100 gallons per day	\$0 per thousand gallons
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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, Town of North Hempstead, Village of Stewart Manor, Village of Bellerose, Village of South Floral Park, Village of Garden City, Bellerose Terrace Fire District, Elmont Fire District, Northwest Malverne Fire District, Franklin Square & 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>Quarterly Charge</u>
1"	\$14.61
1 1/2"	\$22.45
2"	\$33.65
2 1/2"	\$39.38
3"	\$58.43
4"	\$105.65
6"	\$215.86
8"	\$431.63
10"	\$593.00

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	Aye
Town of North Hempstead	11.1	No

Village of Bellerose	1.5	Aye
Village of South Floral Park	1.4	Aye
Village of Garden City	<u>1.3</u>	Absent
TOTAL	85.3	

Vote: For: 6 Against: 1 Abstentions: 0 Motion carried.

Resolution #-121/14/15 – Retention of 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 7, 2015;

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

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 7, 2015 for the period June 1, 2015 to May 31, 2016; and

BE IT FURTHER RESOLVED, that the Chairman is hereby 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	26.2	Aye
Town of Hempstead	26.2	Aye
Village of Floral Park	17.7	Aye
Village of New Hyde Park	12.3	Aye
Town of North Hempstead	11.1	Aye
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	<u>1.3</u>	Absent
TOTAL	96.4	

Motion unanimously carried.

Resolution #-122/14/15 – Retention of 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;

Upon motion of D. Longobardi, seconded by R. Sakowich,

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 14, 2015, at the annual rate of \$124,404.00 (One hundred twenty-four thousand, four hundred four dollars), which shall be paid in equal monthly installments for the period of June 1, 2015 to May 31, 2016. 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	Aye
Town of North Hempstead	11.1	Aye
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	Absent
TOTAL	96.4	

Motion unanimously carried.

Resolution #-123/14/15 – Annual Contract - Locating and Marking Services

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 for locating and marking services for the Water Authority; 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 20th day of April, 2015, at 10:30 o’clock AM, the time and place specified in the public notice; and

WHEREAS, upon review of the bid proposals received 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 Premier Utility Services was the sole bidder and is a 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 Premier Utility Services is the sole bidder and is a responsible bidder meeting the bid specifications;

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

BE IT RESOLVED, that the bid proposal of Premier Utility Services 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 Premier Utility Services to perform locating and marking services for 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	Aye
Town of North Hempstead	11.1	Aye
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	<u>1.3</u>	Absent
TOTAL	96.4	

Motion unanimously carried.

Resolution #-124/14/15 – Change in Cellular Phone Provider

WHEREAS, the Board of Directors of the Water Authority of Western Nassau County (hereinafter “Water Authority”) received a memorandum from John Tierney, Director, Information Systems of the Water Authority, recommending that the Water Authority change its cellular provider from Sprint to Verizon Wireless; and

WHEREAS, the aforesaid memorandum indicates that the Verizon Wireless service is available under the NYS Office of General Services Contract, Group 77017, Comprehensive Telecommunications Services (Statewide) and will result in a cost savings to the Water Authority;

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

BE IT RESOLVED, that the Board of Directors of the Water Authority hereby approves and authorizes the change in the Water Authority's cellular provider from Sprint to Verizon Wireless in accordance with the NYS OGS contract; and

BE IT FURTHER RESOLVED, that the Chairman is authorized to execute any necessary documentation to effectuate the change in cellular providers from Sprint to Verizon Wireless, 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	Aye
Town of North Hempstead	11.1	Aye
Village of Stewart Manor	2.3	Absent
Village of Bellerose	1.5	Abstain
Village of South Floral Park	1.4	Aye
Village of Garden City	1.3	Absent
TOTAL	94.9	

Vote: For: 6 against: 0 Abstentions: 1 Motion carried.

Date of Next Meeting: June 22, 2015

Public Comment: None

Mr. Ryan thanked the Board for their time and effort during the budget approval process.

Resolution #125/14/15 – Executive Session: Motion by C. Zacker, seconded by D. Longobardi for the Board to go into Executive Session to discuss matters of litigation and labor negotiations. Open for discussion. Vote: For: 7 Against: 0 Abstentions: 0 The vote was unanimous and the Board went into Executive Session at 8:50 PM.

Resolution #126/14/15 – Executive Session: Motion by G. Bakich seconded by R. Sakowich 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 9:10 PM.

Resolution #127/14/15 - 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 9:10 PM.

Respectfully submitted



Dominick Minerva
Secretary