

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

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

<b>Attendance:</b> George Bakich	Town of Hempstead
Bart Brown	Village of Garden City
Chris Gorman	Village of Stewart Manor
Greg Ifill	Village of South Floral Park
Dominick Longobardi	Village of Floral Park
Susan Powderly	Village of Bellerose
Marianna Wohlgemuth	Town of North Hempstead
Cherie Zacker	Town of Hempstead (see note below)

**Absent:** Reid Sakowich (*participated in water rate study discussion; attended executive session and left when regular meeting was called to order at 7:05 PM*)

Cherie Zacker (*not present for water rate study discussion; arrived during executive session and left at 7:30 PM*)

**Water Authority:** M. Tierney, Superintendent; A. Kolakowski, Director of 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 discuss the water rate study to order at 6:00 PM. W. Merkin from D&B Engineers and members of the fire departments from Stewart Manor, New Hyde Park, Franklin Square & Floral Park participated in the discussion with the board.

**Resolution #059/15/16 – Executive Session:** Motion by G. Bakich, seconded by D. Longobardi for the Board to go into Executive Session for advice of counsel.

Open for discussion. Vote: For: 8 Against: 0 Abstentions: 0 The vote was unanimous and the Board went into Executive Session at 6:42 PM.

**Resolution #060/15/16 – Executive Session:** Motion by D. Longobardi, seconded by R. Sakowich for the Board to come out of Executive Session.

C. Zacker arrived at 7:00 PM while the board was in executive session.

Open for discussion. Vote: For: 9 Against: 0 Abstentions: 0 The vote was unanimous, and the Board came out of Executive Session at 7:03 PM. There was no action on items discussed in Executive Session.

The regular meeting was called to order. R. Sakowich left the meeting at 7:05 PM

**Resolution #061/15/16 — Approval of Minutes:**

Motion by M. Wohlgemuth, seconded by C. Zacker to approve the Minutes of the meeting of October 26, 2015. Open for discussion. Vote: For: 8 Against: 0 Abstentions: 1 Motion carried and the minutes were accepted as distributed.

**Treasurer's Report**

Mr. Tierney reported on the financial status of the Water Authority for the period November 1 to November 30, 2015.

**Resolution #062/15/16 —Approval of Warrants**

Motion by M. Wohlgemuth, seconded by G. Ifill to approve and pay the outstanding Accounts Payable warrants for the period 10/1/15 thru 11/10/15 in the amount of \$2,325,916.37. Open for discussion. Mr. Tierney addressed questions from the Board. Vote: For: 8 Against: 0 Abstentions: 0 Motion unanimously carried.

**Resolution #063/15/16 – Approval of Capital Expenditures**

Motion by D. Longobardi, seconded by M. Wohlgemuth to approve capital expenditure items of the warrants from the Bank of New York Construction Fund 2010B in the amount of \$132,321.86. Open for discussion. Vote: For: 8 Against: 0 Abstentions: 0 Motion unanimously passed.

**Resolution #064/15/16 —Approval of Warrants**

Motion by D. Longobardi, seconded by B. Brown to approve and pay the outstanding Accounts Payable warrants for the period 11/1/15 thru 12/08/15 in the amount of \$2,743,707.61. Open for discussion. Mr. Tierney addressed questions from the Board. Vote: For: 8 Against: 0 Abstentions: 0 Motion unanimously carried.

**Resolution #065/15/16 – Approval of Capital Expenditures**

Motion by C. Gorman, 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 \$197,629.04. Open for discussion. Vote: For: 8 Against: 0 Abstentions: 0 Motion unanimously passed.

**Superintendent's Report**

Mr. Tierney reported on the status of the Water Authority as of December 18, 2015 and addressed questions from the Board.

**Attorney's Report**

**Resolution #066/15/16 –Medical Insurance Renewal with NYSHIP**

**WHEREAS**, the Board of Directors of the Water Authority of Western Nassau County (hereinafter “Water Authority”) has received a memorandum from Janice Varley, Director of Human Resources of the Water Authority recommending that the Water Authority approve the automatic renewal of medical insurance coverage with the New York State Health Insurance Plan (“NYSHIP”), effective January 1, 2016 through December 31, 2016 for its employees;

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

**BE IT RESOLVED**, that the Board of Directors of the Water Authority hereby approves the renewal of medical insurance coverage with NYSHIP, effective January 1, 2016 through December 31, 2016 for its employees; and

**BE IT FURTHER RESOLVED**, that Tier 1 employees of the Water Authority shall continue to contribute ten (10%) percent to the cost of the premium for the NYSHIP plan as established by resolution number 045/09/10; and

**BE IT FURTHER RESOLVED**, that Tier 2 employees of the Water Authority shall continue to contribute fifteen (15%) percent to the cost of the premium for the NYSHIP plan as established by resolution number 015/11/12; and

**BE IT FURTHER RESOLVED**, that contributions for Tier 1 retirees of the Water Authority shall continue at the same level established by resolution number 045/09/10, and

**BE IT FURTHER RESOLVED**, that contributions for Tier 2 retirees of the Water Authority shall continue at the same level established by resolution number 015/11/12.

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	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>87.7</b>	

Motion unanimously carried.

**Resolution #067/15/16 – Evaluation of Present Condition of Tank No. 5**

**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 (“Consulting Contract”); and

**WHEREAS**, the Water Authority requires the services of an engineer to conduct a detailed inspection of ground water storage tank no, 5 at well station 15 to determine its existing condition; and

**WHEREAS**, the Water Authority’s consulting engineer, H2M Water, submitted a proposal in the sum of \$9,800.00 to complete the requested evaluation; and

**WHEREAS**, the Board of Directors has received a memorandum from Michael J. Tierney of the Water Authority recommending approval of the proposal from H2M Water in the sum of \$9,800.00 to perform the requested inspection and report; 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 approve the proposal of H2M Water to conduct the inspection and prepare an engineering report for the Water Authority;

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

**BE IT RESOLVED**, that the proposal of H2M Water to conduct the inspection and prepare an engineering report regarding the existing condition of the ground water storage tank at Station 15, is approved as additional services under the Consulting Contract in accordance with its proposal in the sum of \$9,800.00.

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	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>87.7</b>	

Motion unanimously carried.

**Resolution #068/15/16 – Contract Award – Pump Test for Well No. 25A**

**WHEREAS**, a memorandum was received from Dennis M. Kelleher, P.E. of H2M Water, the consulting engineer to the Water Authority of Western Nassau County (hereinafter “Water Authority”) indicated that proposals were received for a public works contract to perform a test of the Well No. 25A pump at Station No. 25; and

**WHEREAS**, the aforesaid memorandum indicates that four (4) proposals were received and recommends award of the contract to Layne Christensen Co. as the low bidder in accordance with its submitted proposal in the sum of \$13,500.00;

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

**BE IT RESOLVED**, that the Board of Directors of the Water Authority hereby approves the award of the public works contract to Layne Christensen Co. in accordance with its submitted proposal in the sum of \$13,500.00; and

**BE IT FURTHER RESOLVED**, that the Chairman of the Water Authority is authorized to execute a contract with Layne Christensen Co. 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	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>87.7</b>	

Motion unanimously carried.

**Resolution #069/15/16 – Civil Service Appointments**

**WHEREAS**, the Water Authority of Western Nassau County (hereinafter “Water Authority”) has received a memorandum from Michael J. Tierney, Superintendent, recommending that the Water Authority appoint Michael Fisch, Kaliym Muhammad and Neil Falcone to the full-time, noncompetitive civil service classification of Water Servicer Trainee (NTE 2 years) contingent upon satisfactory physical demands assessment, satisfactory background checks and drug screens; and

**WHEREAS**, the aforesaid memo recommends the appointment of Michael Fisch, Kaliym Muhammad and Neil Falcone as Water Servicer Trainees at a compensation rate of \$20.00 per hour with a 26 week probationary period;

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

**BE IT RESOLVED** that the Water Authority hereby appoints Michael Fisch, Kaliym Muhammad and Neil Falcone to the full-time positions of Water Servicer Trainees at a compensation rate of \$20.00 per hour plus benefits, with a 26 week probationary period and subject to approval by the Nassau County Department of Civil Service; and

**BE IT FURTHER RESOLVED** that the Board of Directors authorizes the Chairman of the Water Authority to execute any and all documents required by the Nassau County Department of Civil Service to complete these appointments.

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	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>87.7</b>	

Motion unanimously carried.

*(Ms. Zacker left the meeting at 7:30 PM).*

**Resolution #070/15/16 – Amendment of Engineering Services for Air Emission Evaluation of Packed Tower Aeration Systems**

**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 engaged the services of Dvirka and Bartilucci Engineers (hereinafter “D&B”) to perform an evaluation of the packed tower aeration/air stripping tower emissions for the six (6) towers owned by the Water Authority as required by the Nassau County Department of Health (hereinafter “NCDH”); and

**WHEREAS**, the NCDH requires a revision and resubmission of the report; and

**WHEREAS**, D&B submitted a proposal in the sum of \$7,000.00 to perform the revisions and resubmit the report; and

**WHEREAS**, the Board of Directors has received a memorandum from Joseph Corbisiero, Director Plant Operations of the Water Authority, recommending approval of the proposal from D&B to revise and resubmit the report in accordance with the NCDH comments;

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

**BE IT RESOLVED**, that the proposal of D&B to perform the revisions and resubmit the report in accordance with the NCDH comments in the sum of \$7,000.00 is hereby approved.

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	1.3	Aye
<b>TOTAL</b>	<b>61.5</b>	

Motion unanimously carried.

**Resolution #071/15/16 –Piping Modifications Required by NCDH Sanitary Survey**

**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 construct tank overflow piping modifications at Station Nos. 35 & 44 and blow-off piping modifications at Station Nos. 9, 16A and 57 of the Water Authority as required by the Nassau County Department of Health (hereinafter “NCDH”); 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 10<sup>th</sup> day of December, 2015, at 10:30 o’clock A.M., 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 Joseph Corbisiero Director Plant Operations of the Water Authority stating that Phillip Ross Industries 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 Phillip Ross Industries is the lowest responsible bidder meeting the bid specifications;

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

**BE IT RESOLVED**, that the Chairman of the Water Authority be and hereby is authorized to execute a contract with Phillip Ross Industries to construct tank overflow piping modifications at Station Nos. 35 and 44 and blow-off piping modifications at Station Nos. 9, 16A

and 57 of the Water Authority of Western Nassau County as required by the NCDH, for the price of \$285,000.00 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	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 #072/15/16 – Removal of Well Pumps Nos. 16A and 44A**

**WHEREAS**, a memorandum was received from Joseph Corbisiero, Director Plant Operations of the Water Authority of Western Nassau County (hereinafter “Water Authority”) indicated that proposals were received for a public works contract to remove Well Pump Nos. 16A and 44A; and

**WHEREAS**, the aforesaid memorandum indicates that three (3) proposals were solicited and recommends award of the contract to A. C. Schultes, who submitted the only proposal in the sum of \$7,200.00;

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

**BE IT RESOLVED**, that the Board of Directors of the Water Authority hereby approves the award of the public works contract to A. C. Schultes in accordance with its submitted proposal in the sum of \$7,200.00; and

**BE IT FURTHER RESOLVED**, that the Chairman of the Water Authority is authorized to execute a contract with A. C. Schultes 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

**TOTAL**

**61.5**

Motion unanimously carried.

**Resolution #073/15/16 – Acknowledgement of Withdrawal of Union Representation and Salary Adjustment**

**WHEREAS**, Local 175, United Plant and Production Workers Union (hereinafter “Union”) was certified as the exclusive bargaining representative of the employees of the Water Authority of Western Nassau County (hereinafter “Water Authority”) in the transmission and distribution department in 2013; and

**WHEREAS**, the Water Authority provided the employees of the Water Authority, excluding those represented by the Union with a 2.5% raise effective June 1, 2014 and a 2.25% raise effective June 1, 2015; and

**WHEREAS**, the Water Authority and the Union have not reached an agreement regarding the terms of a first collective bargaining agreement between the Water Authority and the union; and

**WHEREAS**, the Water Authority has received correspondence from the Union indicating that they are voluntarily withdrawing their representation of the employees in the transmission and distribution department by mutual agreement; and

**WHEREAS**, the Water Authority is desirous of providing the employees in the transmission and distribution department the same raises provided to the Water Authority employees not represented by the Union retroactively to June 1, 2014, including those employees that may have left the employ of the Water Authority and also to provide an increase in the stand-by pay for the employees in the transmission and distribution department from \$150.00 per week to \$250.00 per week;

Now therefore, upon motion of D. Longobardi, seconded by B. Brown,

**BE IT RESOLVED**, that the annual salaries for the employees of the Water Authority in the transmission and distribution department are hereby adjusted to reflect a 2.5% raise per annum effective June 1, 2014 and a 2.25% per annum increase, effective June 1, 2015, to be paid in accordance with the current payroll system, including retroactive pay to said employees including those that may have since left the employ of the Water Authority; and

**BE IT FURTHER RESOLVED**, that the compensation for the employees of the Water Authority in the transmission and distribution department for stand-by pay is hereby increased from \$150.00 per week to \$250.00 per week effective immediately; and

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

**Date of Next Meeting:** January 25, 2016

**Public Comment:** None

Mr. Ryan wished all a Merry Christmas, Happy New Year and Happy Holidays.

**Resolution #074/15/16 - 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 7:40 PM.

Respectfully submitted,



Dominick Minerva  
Secretary