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2 MEETING OF THE BOARD OF DIRECTORS OF THE

3 WATER AUTHORITY OF GREAT NECK NORTH

4 HELD ON APRIL 13, 2020

5 AT 50 WATERMILL LANE, GREAT NECK, NEW YORK<sup>1</sup>

6 -----X

7 50 Water Mill Lane  
8 Great Neck, New York  
9 Held Telephonically  
10 April 13, 2020  
11 12:00 P.M.

12  
13 **TRANSCRIPT OF PROCEEDINGS**

14

15 **A P P E A R A N C E S:**

16

17 Michael C. Kalnick, Chairperson, Village of Kings Point

18 Jean Celender, Director, Village of Great Neck Plaza

19 Carol Frank, Director, Town of North Hempstead

20 Jay Johnneas, Director, Village of Great Neck

21 Dan Levy, Director, Village of Saddle Rock

22 Susan Lopatkin, Director, Village of Kensington

23 Steven Weinberg, Director, Village of Thomaston

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25 <sup>1</sup> The regular monthly meeting of the Board of Directors of the Water Authority of Great Neck North was held on April 13, 2020, at 12:00 P.M. in accordance with Governor Cuomo's March 13, 2020 Executive Order No. 202.1 which permitted public meetings to be held remotely by conference call. The agenda for the meeting was posted on the Authority's website. In accordance with said Order, the public was given the ability to listen to such proceeding at the Authority's office and this transcript was made of the public portion of the meeting.

1     ALSO PRESENT:

2

3     From the **Water Authority of Great Neck North:**

4     Ralph J. Kreitzman, Vice-Chairperson

5     Robert Graziano, Deputy Chairperson

6     Gregory C. Graziano, Superintendent

7     Michael Rispoli, Assistant Superintendent

8     Sue Huang, Civil Engineer

9     Adam Solow, Supervisor of Water Plant Operations

10    Judith Flynn, Treasurer

11    Debra Ray, Secretary

12

13    Stephen, Limmer, Counsel, McLaughlin & Stern, LLP

14    Keith Kelly, Senior Vice President/Partner, CDM Smith,  
15                                   Consulting Engineers

16

17    NOT PRESENT:

18    Michael Smiley, Director, Village of Great Neck Estates

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1 SUPERINTENDENT GRAZIANO: We have a court  
2 reporter on the line taking a transcript of  
3 what's being discussed so I want to remind  
4 everyone to please announce your name when  
5 speaking. Obviously the court reporter cannot  
6 see who is speaking, that way she can keep good  
7 minutes of what's transpiring.

8 Thank you.

9 CHAIRPERSON KALNICK: We will start with,  
10 first of all, welcome to the Water Authority of  
11 Great Neck North meeting of April 13, 2020.

12 I will entertain a resolution for approval of  
13 the draft minutes of February 10, 2020 --

14 VICE CHAIRPERSON KREITZMAN: This is  
15 Ralph Kreitzman.

16 I suggest you take attendance for the record  
17 so the reporter has it.

18 Do you have the list in front of you?

19 SUPERINTENDENT GRAZIANO: I can read off the  
20 list then everyone can just say "here." How  
21 does that sound?

22 (Whereupon roll call was taken and all  
23 parties except Michael Smiley were present.)

24 CHAIRPERSON KALNICK: Should we continue?  
25 Approval of the draft minutes of February 10?

1 DIRECTOR LEVY: I so move.<sup>2</sup>

2 MR. LIMMER: Just give your name before you  
3 talk again for the reporter.

4 DIRECTOR CELENDER: I second.

5 CHAIRPERSON KALNICK: All in favor?

6 (Whereupon all directors responded in the  
7 affirmative.)

8 CHAIRPERSON KALNICK: Approval of the draft  
9 minutes of March 9th.

10 DIRECTOR LOPATKIN: So moved.<sup>3</sup>

11 DIRECTOR WEINBERG: Second.

12 CHAIRPERSON KALNICK: All in favor?

13 (Whereupon all directors responded in the  
14 affirmative.)

15 CHAIRPERSON KALNICK: Approval of the  
16 Abstract of Claims.

17 DIRECTOR LEVY: I so move.<sup>4</sup>

18 DIRECTOR WEINBERG: I second it.

19 CHAIRPERSON KALNICK: All in favor?

20 (Whereupon all directors responded in the  
21 affirmative.)

22 CHAIRPERSON KALNICK: Treasurer's report.

23

24 <sup>2</sup> Resolution #20-04-01

25 <sup>3</sup> Resolution #20-04-02

<sup>4</sup> Resolution #20-04-03

1 Anything unusual?

2 TREASURER FLYNN: Nothing to report.

3 DIRECTOR LEVY: I so move the Treasurer's  
4 Monthly Report.<sup>5</sup>

5 DIRECTOR WEINBERG: I second it.

6 CHAIRPERSON KALNICK: All in favor?

7 (Whereupon all directors responded in the  
8 affirmative.)

9 CHAIRPERSON KALNICK: Revenue and Expenses  
10 Quarterly Report.

11 Any questions?

12 Motion to accept?

13 DIRECTOR LEVY: I so move.<sup>6</sup>

14 DIRECTOR CELENDER: Second.

15 CHAIRPERSON KALNICK: All in favor?

16 (Whereupon all directors responded in the  
17 affirmative.)

18 CHAIRPERSON KALNICK: Capital Improvement  
19 Projects Report.

20 Motion to accept?

21 Somebody move it?

22 DIRECTOR JOHNEAS: Motion to accept.<sup>7</sup>

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24 <sup>5</sup> Resolution 20-04-04

25 <sup>6</sup> Resolution 20-04-05

<sup>7</sup> Resolution 20-04-06

1 DIRECTOR CELENDER: Second.

2 CHAIRPERSON KALNICK: All in favor?

3 (Whereupon all directors responded in the  
4 affirmative.)

5 CHAIRPERSON KALNICK: Final Audited Financial  
6 Statements.

7 Motion to accept?

8 DIRECTOR LOPATKIN: So moved.<sup>8</sup>

9 DIRECTOR LEVY: Seconded.

10 CHAIRPERSON KALNICK: All in favor?

11 (Whereupon all directors responded in the  
12 affirmative.)

13 CHAIRPERSON KALNICK: Motion to accept the  
14 Final Independent Accountants' Report on  
15 Investment Compliance?

16 DIRECTOR LEVY: I so move.<sup>9</sup>

17 DIRECTOR WEINBERG: Second.

18 CHAIRPERSON KALNICK: All in favor?

19 (Whereupon all directors responded in the  
20 affirmative.)

21 CHAIRPERSON KALNICK: I have a motion to  
22 accept the Final Communications of Those Charged  
23 With Governance?

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25 <sup>8</sup> Resolution #20-04-07

<sup>9</sup> Resolution #20-04-08

1 DIRECTOR CELENDER: So moved.<sup>10</sup>

2 DIRECTOR LEVY: Second.

3 CHAIRPERSON KALNICK: All in favor?

4 (Whereupon all directors responded in the  
5 affirmative.)

6 CHAIRPERSON KALNICK: Engineering Status  
7 Report.

8 MR. LIMMER: Since the engineering report was  
9 circulated and everybody has read it, I suggest  
10 rather than basically reading it, as it's  
11 usually done, just if there is any additions or  
12 questions to the report, really have to be gone  
13 through since we are on this conference call --

14 DIRECTOR WEINBERG: Steve, before we go to  
15 section two, just for the sake of the  
16 transcript, Michael, can you ask whether or not  
17 there are any abstentions or any objections or  
18 nay votes to any of the prior motions in Section One?

19 CHAIRPERSON KALNICK: Assume that questions  
20 had been asked, I certainly didn't hear any, but  
21 let's in turn: Were there any objections or nay  
22 votes in items 1.1 through 1.9?

23 (No response.)

24 \_\_\_\_\_

25 <sup>10</sup> Resolution #20-04-09

1 CHAIRPERSON KALNICK: Let the record show  
2 there were none.

3 DIRECTOR WEINBERG: Thank you, Michael.

4 CHAIRPERSON KALNICK: Steve Limmer.

5 MR. LIMMER: I was just saying on the  
6 Engineering Status Report that if there is  
7 nothing new to add unless there are any  
8 questions since the report was circulated, I  
9 don't think it's necessary to go -- to actually  
10 have the report read as it is usually done at  
11 the meetings.

12 DIRECTOR JOHNEAS: I have a question.

13 On Middle Neck Road, the water main as I  
14 understand it, the final timeframe through  
15 March, is there any plans to move forward with  
16 that this summer?

17 SUPERINTENDENT GRAZIANO: Jay, at this time  
18 we are proceeding with the design that is going  
19 to take place this summer but obviously if we  
20 are still in the middle of this COVID-19  
21 situation we are not going to willfully put the  
22 project ahead such as turning people's water off  
23 for the construction. But we don't know what  
24 later in the fall will bring or early fall may  
25 bring.



1                   We are just trying to -- Mike Rispoli has  
2                   been in contact with the county a number of  
3                   times to see where their paving schedule is at  
4                   and I don't believe Mike has heard back; is that  
5                   correct, Mike?

6                   MR. RISPOLI:       That's correct in terms of  
7                   Middle Neck Road. Other county projects that  
8                   were scheduled for 2020, this calendar year, I  
9                   was told are proceeding as planned. That was  
10                  from a week and a half ago. I have not received  
11                  any updates from them. But I am continuing to  
12                  follow-up with county officials regarding Middle  
13                  Neck Road paving.

14                 SUPERINTENDENT GRAZIANO:       So Jay, to answer  
15                  your question, we are going to try to proceed in  
16                  the best we can between hopefully COVID-19  
17                  ending in the near future, and if the county is  
18                  planning to proceed with paving, I believe they  
19                  are talking spring/summer of 2021 so that there  
20                  is a lot of time.

21                 DIRECTOR LEVY:       Greg?

22                 SUPERINTENDENT GRAZIANO:       Yes.

23                 DIRECTOR LEVY:       I had several questions from  
24                  residents with regard to the backflow testing.

25                 Are we going to extend or are we going to do

1 anything about it? Because there are a lot of  
2 people who are not comfortable with people  
3 coming through the house to do testing.

4 Are we going to give it time, how are we  
5 going to handle it?

6 SUPERINTENDENT GRAZIANO: All right. Great  
7 question. I've been going back and forth with  
8 Susan and I forgot the other lady's name from  
9 the town --

10 DIRECTOR LOPATKIN: Councilwoman Monica  
11 Lurvey.

12 SUPERINTENDENT GRAZIANO: Yes, thank you,  
13 Susan.

14 Back and forth e-mails last week on this  
15 issue.

16 I brought the topic up three times a week on  
17 a conference call with the Long Island Water  
18 conference. Also on this call, New York State  
19 Department of Health, Nassau County Department  
20 of Health and Suffolk Department of Health.

21 This question that I have asked ad nauseam  
22 and finally got an answer from the state and  
23 local level which is they are not going to  
24 change the sanitary code and they are not going  
25 to say backflow devices do not have to be tested

1 this year.

2 So that being said, and I am asking for  
3 something in writing and I had a subsequent  
4 conversation with Bill Provoncha, Nassau County  
5 Department of Health asking him to put in  
6 writing, he said he is really looking for the  
7 high risk devices, that they absolutely, no  
8 matter what have to be tested. If the other  
9 ones get pushed off a little bit, it's not as  
10 critical. So I am looking for that in writing,  
11 asked for that two weeks ago, still haven't  
12 received that in writing. So as of now we could  
13 have a state violation if we do not make sure  
14 these tests are done.

15 So we are proceeding as of now, unless the  
16 Board changes this, but from an operational  
17 standpoint, we are proceeding notifying everyone  
18 of when their tests are due and proceeding in  
19 the normal fashion.

20 Most of our backflow devices -- I should say  
21 all of our irrigation devices other than maybe a  
22 handful that were grandfathered way back when,  
23 all those backflows are in the pits. So there  
24 is no reason why those backflow devices cannot  
25 be tested.

1           There has also been an enormous amount of  
2 construction that's taken place here in the last  
3 20 years and I believe it's been ten years since  
4 we have made it mandatory for every domestic  
5 service to be put outside in a pit as well.  
6 They have an accompanying backflow device put  
7 outside also in the pit. So there is no reason  
8 they cannot be tested.

9           So at this point unless the Board wants to  
10 change it we are going to proceed to try to get  
11 as many done as possible. I know we sent an  
12 e-mail out last week, we have between 5,700 and  
13 6,000 backflow devices, so the way we normally  
14 have it set up is by cycle. We start notifying  
15 very early in the year. I don't believe the  
16 first residential shutoff would be until June.  
17 Cycle 11 would be in May which is just fire  
18 lines, so the first residential would not be  
19 until June and we can make the determination,  
20 the Board can make the determination as we get  
21 closer to see where this COVID-19 is going.

22           If people do not feel comfortable having  
23 backflow testers in their house, I guess that's  
24 their call, we're going to do the best we can to  
25 keep some semblance of control over this program

1 because we have so many, that's why we break it  
2 down by cycle, we break it up. We do not have  
3 the staff to handle all these tests at the same  
4 time, it's impossible to postpone everybody. We  
5 are trying to keep everyone on schedule.  
6 Hopefully this starts to free up and the tests  
7 can start to come in later in the summer.

8 We also have to balance out, there is a lot  
9 of irrigation systems that go off come the fall;  
10 therefore we will, once they are off people are  
11 not going to give us tests, so that's the issue  
12 we are going to have with the Health Department.  
13 We are doing our due diligence now through our  
14 normal correspondence so if we don't hit 100%, I  
15 believe we won't get a violation so long as we  
16 show our due diligence to try to get them  
17 tested.

18 That's a long-winded answer, Dan, that's the  
19 best I can give.

20 DIRECTOR WEINBERG: Quick question, Greg:  
21 What's the difference -- is there a difference  
22 between a backflow test in the house versus on  
23 the property itself?

24 SUPERINTENDENT GRAZIANO: Well the people  
25 don't have to worry about residents don't have

1 to worry about a backflow tester coming back  
 2 into their house. A backflow tester can just  
 3 drive by and test the device out in the pit,  
 4 leave, leave the paperwork in the mailbox for  
 5 the resident to sign and the resident can either  
 6 e-mail it back to the backflow tester or e-mail  
 7 it, send it back. There is multiple ways this  
 8 could be done, or even in the house you can  
 9 really get it done. As long as -- most of the  
 10 devices are in the basement. If there is a  
 11 basement in the house, to let them in, basically  
 12 stay six feet away, let them go down, come up,  
 13 leave the paperwork, fill it out at a different  
 14 time, send it back.

15 So -- but if there are people who are  
 16 absolutely opposed to it, again, our first  
 17 shut-offs are not until June for residential.

18 DIRECTOR FRANK: Greg, but this occurs at the  
 19 same time as you're having your system turned on  
 20 for irrigation and at the same time that you are  
 21 having the devices tested, so -- right?

22 SUPERINTENDENT GRAZIANO: Yes, it's a great  
 23 point. If someone is having the irrigation  
 24 system turned on, they should have the backflow  
 25 tested at that point.

1                   DIRECTOR LOPATKIN:       I think that's common.  
2                   That's what my people did. They came, they  
3                   left, they didn't find anything. It was  
4                   completely contact-less.

5                   DIRECTOR CELENDER:       Yeah. I had the same  
6                   thing just recently.

7                   DIRECTOR LOPATKIN:       I personally don't think  
8                   this is a major issue. I think maybe a handful  
9                   of people have got stuff in the basement and if  
10                  you have a flood, if you had an electrical  
11                  problem, you would let a trained person in to  
12                  fix it. I think it's in the same category.

13                  SUPERINTENDENT GRAZIANO:       Yes. Backflow  
14                  testers, Susan, asked the question a few weeks  
15                  ago; backflow testers, plumbers, irrigation  
16                  companies are all considered essential workers.

17                  CHAIRPERSON KALNICK:       All right. Should we  
18                  move on?

19                  SUPERINTENDENT GRAZIANO:       All right. So the  
20                  proposal from CDM Smith for Woodland Property  
21                  Development. If everyone remembers, this  
22                  project has been around for six, seven, eight  
23                  years.

24                  I think this developer is finally getting to  
25                  a stage where he is going to need utilities.

1                   Initially D&B had this contract but they  
2                   extended it numerous times and at this point  
3                   they don't want to continue so we asked for a  
4                   proposal from CDM Smith. This would all be at  
5                   the developer's cost. At the very last page of  
6                   CDM's proposal you will see it not to exceed  
7                   \$33,100.

8                   Looking for Board approval on that.

9                   DIRECTOR LEVY:       I so move.<sup>11</sup>

10                  DIRECTOR LOPATKIN:       I second it.

11                  CHAIRPERSON KALNICK:       All in favor?

12                  (Whereupon all directors responded in the  
13                  affirmative.)

14                  MR. LIMMER:       For the court reporter, based  
15                  upon Steve Weinberg's comment before, ask you  
16                  all in favor, ask if anybody is opposed or is  
17                  abstaining so we don't have to go back.

18                  CHAIRPERSON KALNICK:       After 2.2, anybody  
19                  opposed or abstaining?

20                  (No response.)

21                  CHAIRPERSON KALNICK:       Let the record show  
22                  nobody responded.

23                  Go ahead, Greg.

24                  \_\_\_\_\_  
25                  <sup>11</sup> Resolution #20-04-10



1 SUPERINTENDENT GRAZIANO: Okay. The first  
 2 item I have up is a proposal from Pace Labs.  
 3 They are looking for an increase, they are  
 4 looking for a little bit bigger increase. We  
 5 have negotiated it down to three main items:  
 6 Highlighted are coliform, principle organics and  
 7 1-4, dioxane, the ones they are looking for  
 8 changes.

9 This comes to a potential increase of \$4,708.  
 10 Coliform bacteria is where we do roughly 511 a  
 11 year so it all depends on that. This could  
 12 change this price a little bit lower, little bit  
 13 higher depending on the number of samples we  
 14 take.

15 Pace has done wonderful work for us and I  
 16 recommend the Board renew with Pace at the  
 17 additional cost.

18 CHAIRPERSON KALNICK: Motion to accept?<sup>12</sup>

19 DIRECTOR LEVY: I so move.

20 DIRECTOR WEINBERG: Second.

21 CHAIRPERSON KALNICK: All in favor?

22 (Whereupon all directors responded in the  
 23 affirmative.)

24 \_\_\_\_\_  
 25 <sup>12</sup> Resolution #20-04-11

1 CHAIRPERSON KALNICK: Any opposed or  
2 abstaining?

3 (No response.)

4 CHAIRPERSON KALNICK: Negative.  
5 Greg?

6 SUPERINTENDENT GRAZIANO: The next item is to  
7 award a bid for Electrical Preventative  
8 Maintenance.

9 We sent out bid requests, I believe five or  
10 six contractors. Quite a few of them picked up  
11 but only two actually submitted bids; Hinck  
12 Electric was incomplete, no total bid cost or  
13 bid bond; Bancker Electric who had the previous  
14 contract the previous three years is looking for  
15 a \$2,000 increase from what we paid them the  
16 last three years which I think is reasonable  
17 considering the timeframe.

18 So I would recommend we award to Bancker.

19 CHAIRPERSON KALNICK: Motion to award?

20 DIRECTOR LOPATKIN: At some point that's a  
21 14% percent increase so over three years that's  
22 more than 5%. I am just saying, I mean it  
23 doesn't sound like a lot as a discreet amount of  
24 money but that's quite a percentage.

25 What did we budget?

1 SUPERINTENDENT GRAZIANO: A little bit over  
2 5% a year.

3 DIRECTOR LOPATKIN: Yes, that's what I came  
4 up with.

5 SUPERINTENDENT GRAZIANO: Yes. Budget that  
6 we have allotted in our electrical budget so  
7 this will be fine budget wise.

8 We used to use Wire to Water many years ago.  
9 They -- we're talking 10-15 years ago, they used  
10 to charge over \$20,000, so in today's dollars, I  
11 think this is a reasonable number.

12 DIRECTOR LOPATKIN: We used to pay a lot more  
13 is what you're saying.

14 SUPERINTENDENT GRAZIANO: Yes, Wire to Water.

15 We branched out, we put these out for bid.

16 Yes, you're right, it's a significant increase  
17 percentage wise; but dollar wise, it's still,  
18 \$14,000 is a lot less than we used to pay.

19 DIRECTOR LOPATKIN: Okay. That's fine. That  
20 satisfies me.

21 CHAIRPERSON KALNICK: Motion to award? <sup>13</sup>

22 DIRECTOR LEVY: I so move.

23 DIRECTOR LOPATKIN: I second.

24 \_\_\_\_\_

25 <sup>13</sup> Resolution #20-04-12

1 CHAIRPERSON KALNICK: All in favor?

2 (Whereupon all directors responded in the  
3 affirmative.)

4 CHAIRPERSON KALNICK: Any opposed or  
5 abstaining?

6 Negative.

7 Next item is the spring newsletter which has  
8 gone out to the public. Just wanted to put it  
9 in the Board's packet.

10 Deb, do you know when it should start  
11 arriving to the people?

12 SECRETARY RAY: Yes, they should have gotten  
13 it either at the end of last week at the  
14 earliest or this week.

15 SUPERINTENDENT GRAZIANO: We try to get it  
16 out to the board a little bit ahead of the  
17 public. With everything that's been going on,  
18 the Board should still have this before most  
19 residents have it.

20 CHAIRPERSON KALNICK: At this point, any  
21 questions on the newsletter?

22 (No response.)

23 CHAIRPERSON KALNICK: Letter D.

24 SUPERINTENDENT GRAZIANO: Okay. So Keith has  
25 been working back and forth with the Authority

1 staff, Steve Limmer and the UV System provider,  
 2 Trojan, who we would like to purchase from. We  
 3 still have some contractual items to get worked  
 4 out but I would like -- we have got an emergency  
 5 approval to purchase the carbon vessels from the  
 6 EFC which is good because that comes off of the  
 7 new requirements for minority, MWBE and they  
 8 have added a Veterans requirement in. Between  
 9 the two of them they add up to about 35%. This  
 10 was added in after we knew what was going on and  
 11 after we knew we were receiving the grant.

12 But that purchase of the carbon vessels now  
 13 goes towards the total but is exclusive of both  
 14 those items which is actually a good thing for  
 15 us.

16 We need an emergency approval from the Board  
 17 so that the purchase of the UV treatment and  
 18 once that occurs and the UV treatment would most  
 19 likely fall under that category as well, would  
 20 come to 650,000. We believe it's going to come  
 21 in cheaper, somewhere in the \$575,000 range.

22 Since we are not done negotiating, I would  
 23 like approval of emergency purchase of the UV  
 24 treatment up to 650,000.

25 Any questions?

1                   DIRECTOR LEVY:       Which funding would that come  
2                   from?

3                   SUPERINTENDENT GRAZIANO:       That would be  
4                   coming from the Well Six treatment budget.

5                   DIRECTOR LEVY:       Would that be covered by a  
6                   bunch of line items or any of our grants?

7                   SUPERINTENDENT GRAZIANO:       So that's split.  
8                   Right now we have an estimate, we have a couple  
9                   of line items from Well Six; one is the Well Six  
10                  Initial EFC Storm Mitigation Loan Project.

11                  Now we have another line item from the Well  
12                  Six Treatment from the Emerging Contaminants.

13                  So there are two different capital items:  
14                  The one from the emerging contaminants which is  
15                  UV and carbon would fall under is \$3 million  
16                  grant which right now we have a budget of  
17                  \$5 million but we are not out to bid yet at this  
18                  point. So everything that comes in we are going  
19                  to submit and that's still trying to be vetted  
20                  out with the EFC.

21                  The SMLP the way it worked is we had an  
22                  invoice come in, we sent it over to the EFC,  
23                  they paid and then we paid the contractor,  
24                  et cetera. No grant was put to that until we go  
25                  to final closing. That's when they establish

1 the grant for 25%.

2 This process is different since it's  
3 \$3 million strictly grant money. The way I  
4 understood it is they are going to pay out the  
5 grant first so whatever we keep submitting they  
6 will pay up to 3 million and after that we pay  
7 but that hasn't been established.

8 DIRECTOR LEVY: Thank you, Greg.

9 Any questions?

10 (No response.)

11 CHAIRPERSON KALNICK: Motion to accept? To  
12 approve?

13 DIRECTOR WEINBERG: I so move.<sup>14</sup>

14 DIRECTOR JOHNEAS: Second.

15 CHAIRPERSON KALNICK: All in favor?

16 (Whereupon all directors responded in the  
17 affirmative.)

18 CHAIRPERSON KALNICK: Any negatives or  
19 abstentions?

20 (No response.)

21 CHAIRPERSON KALNICK: No.

22 Greg?

23

24

25 <sup>14</sup> Resolution #20-04-13

1 SUPERINTENDENT GRAZIANO: I am going to pass  
2 this one over to Steve if he doesn't mind, which  
3 is the approval of the New York State Labor Law.

4 MR. LIMMER: The state, you have in your  
5 packets, that new law basically with regard to  
6 confidentiality of reproductive procedures and  
7 rights, and the concept is you can't ask about  
8 what people are doing with regard to  
9 reproduction and it's a statutory requirement to  
10 have it as a policy and the simplest thing to do  
11 is to add it, add the whole law as a policy  
12 rather than trying to rephrase it.

13 You have it in the package so basically I am  
14 just asking or suggesting that you adopt as a  
15 policy the proposed policy that's written into,  
16 that's included in your packet.

17 Just trying to find it right now.

18 If anybody has any questions with regard to  
19 it. If no questions, you could just adopt it as  
20 a policy.

21 CHAIRPERSON KALNICK: Motion to adopt?

22 DIRECTOR LOPATKIN: So moved.<sup>15</sup>

23

24

25 <sup>15</sup> Resolution #20-04-14



1 DIRECTOR WEINBERG: Second.

2 CHAIRPERSON KALNICK: All in favor?

3 (Whereupon all directors responded in the  
4 affirmative.)

5 CHAIRPERSON KALNICK: Any abstentions or  
6 nays?

7 (No response.)

8 SUPERINTENDENT GRAZIANO: In the packet is a  
9 2019 Water Quality Report which is subject to  
10 New York State and Nassau County Department of  
11 Health approval.

12 I know Sue has been going back and forth with  
13 the Health Department for a while now and quite  
14 a bit today so they are looking for some  
15 additional language that they want us to cull  
16 from the EPA website regarding emerging  
17 contaminants.

18 Sue, besides the emerging contaminants, is  
19 there anything else they are looking for?

20 MS. HUANG: No. I have to advise they are  
21 all ready so we will incorporate.

22 SUPERINTENDENT GRAZIANO: Thank you, Sue.

23 So other than just incorporating some of  
24 those additional comments, this is basically the  
25 way it's going to look.

1 Does anyone have any questions on the Water  
2 Quality Report?

3 (All parties responded in the negative.)

4 DIRECTOR LEVY: I so move the Water Quality  
5 Report.<sup>16</sup>

6 DIRECTOR WEINBERG: I second it.

7 CHAIRPERSON KALNICK: All in favor?

8 (Whereupon all directors responded in the  
9 affirmative.)

10 CHAIRPERSON KALNICK: Next item is a  
11 resolution designating an authorized  
12 representative to execute the WIIA Grant  
13 Agreement, that's what we were just discussing,  
14 that \$3 million grant for the emerging  
15 contaminants.

16 Page two basically says it's resolved that  
17 the Chairperson or the Authority is hereby  
18 designated as the authorized representative.

19 Steve is the contact with the EFC. I believe  
20 all this language is worked out for a resolution  
21 from the Board, correct, Steve?

22 MR. LIMMER: Right, both resolutions were  
23 approved by the EFC using their wording.

24 \_\_\_\_\_  
25 <sup>16</sup> Resolution #20-04-15

1                   DIRECTOR CELENDER:       I have a question.

2                   Shouldn't the resolution indicate that  
3                   primarily the Board is calling into this on a  
4                   conference call, seems to indicate that we are  
5                   at the 50 Water Mill Lane location which maybe  
6                   some of you are there but we aren't all there?

7                   CHAIRPERSON KALNICK:       Steve, the very first  
8                   paragraph --

9                   MR. LIMMER:       Yes. What we could say, we can  
10                  change where it says that 50 Water Mill Lane  
11                  to -- you know, let me -- you know, the  
12                  reason I -- let me discuss it with them before  
13                  we make the change because the people were given  
14                  an option to listen to it at the Water Mill Lane  
15                  site and Greg, are you at the Water Mill Lane  
16                  site?

17                  SUPERINTENDENT GRAZIANO:       Yes.

18                  MR. LIMMER:       So somebody is at the Water Mill  
19                  Lane site now and so the conference call, people  
20                  are basically calling into the Water Mill Lane  
21                  site and people who wanted to listen could  
22                  listen to it at the Water Mill Lane site, so  
23                  since they were so concerned about the specific  
24                  wording of the resolution to the minutia, my  
25                  preference is to leave it that way because it

1 was held at the Water Mill Lane site for Greg  
2 and anybody who wanted to attend to listen and  
3 the fact that people called in was permitted  
4 pursuant to the resolution. So --

5 DIRECTOR CELENDER: Can you put that caveat  
6 to our Board meeting so that if it's not in the  
7 resolution that it's at least found somewhere in  
8 the minutes, you know, due to the COVID-19.

9 MR. LIMMER: We can use the same wording that  
10 we used in the call of the meeting which is that  
11 it was pursuant to a conference call.

12 Let me circulate some proposed change to  
13 that. Just my concern is having a problem with  
14 the minutes of the meeting should indicate at  
15 the very beginning that the way we word it in  
16 the -- I don't have the specific wording in  
17 front of me right now -- that the meeting is  
18 being held at the Water Mill or 50 Water Mill  
19 Lane site with conference calls as permitted by  
20 the Executive Orders of the Governor of the  
21 State of New York so that people are  
22 conferencing it -- are conferencing it to that  
23 Water Mill Lane site, those who aren't in actual  
24 attendance.

25 And let me provide the wording, and that will

1 be at the top of the minutes of the meeting  
2 that's circulated, and if anybody wants to  
3 change that then they can make suggested  
4 modifications before we post the minutes.

5 How would that be?

6 DIRECTOR CELENDER: Fine. As long as it's  
7 somewhere. It could be construed that it's  
8 misleading but if we put it somewhere if it's  
9 not in that exact resolution, I wouldn't have a  
10 problem for it. You don't want to change it, I  
11 get that.

12 MR. LIMMER: Let me put it at the -- when  
13 Gail drafts the minutes -- Gail, did you get the  
14 notice of the meeting?

15 THE COURT REPORTER: Yes.

16 MR. LIMMER: Okay. I don't have it in front  
17 of me but in the notice it indicates how it's  
18 being held?

19 THE COURT REPORTER: I don't recall. I don't  
20 have it in front of me either.

21 MR. LIMMER: I will add it to the draft  
22 minutes when you give it to me and then I will  
23 circulate it.

24 DIRECTOR CELENDER: I think it's Executive  
25 Order 202.1.

1 MR. LIMMER: I have it in the legal notice  
2 the way I would like it prepared.

3 DIRECTOR CELENDER: Conference call, not the  
4 Executive Order we are citing.

5 MR. LIMMER: Okay. Let me, I will circulate  
6 it that way, Jean, you will take a look at it.  
7 If you want to change it, we will change it.

8 DIRECTOR CELENDER: Thank you.

9 MR. LIMMER: Okay.

10 DIRECTOR CELENDER: On that, I will move  
11 adoption of Item G.<sup>17</sup>

12 CHAIRPERSON KALNICK: Very good.

13 DIRECTOR JOHNEAS: Seconded.

14 CHAIRPERSON KALNICK: All in favor?

15 (Whereupon all directors responded in the  
16 affirmative.)

17 CHAIRPERSON KALNICK: Anybody oppose or  
18 abstaining?

19 (No response.)

20 CHAIRPERSON KALNICK: Negative.

21 H?

22 SUPERINTENDENT GRAZIANO: H is a resolution  
23 setting forth total costs or funding of EFC

24 \_\_\_\_\_

25 <sup>17</sup> Resolution #20-04-16

1 project. Again, the language has been approved  
2 by the EFC themselves. There is a requirement  
3 to move forward with the grant funding.

4 I need a resolution on this one as well.

5 DIRECTOR CELENDER: So moved.<sup>18</sup>

6 CHAIRPERSON KALNICK: That was Jean.

7 DIRECTOR CELENDER: Jean Celender, yes.

8 DIRECTOR LEVY: Second.

9 CHAIRPERSON KALNICK: That was Dan Levy.

10 All in favor?

11 (Whereupon all directors responded in the  
12 affirmative.)

13 CHAIRPERSON KALNICK: Anybody opposed or  
14 abstained?

15 (No response.)

16 CHAIRPERSON KALNICK: All right. Steve,  
17 maybe you are the best one for "I"?

18 MR. LIMMER: We have had problems with  
19 getting -- you know, maybe we should discuss  
20 this in Executive Session because it gets into  
21 the proposed litigation with MTA.

22 CHAIRPERSON KALNICK: Right. We will wait  
23 for executive session.

24 \_\_\_\_\_  
25 <sup>18</sup> Resolution #20-04-17

1 All right. Let's go to J. Not J, I.

2 SUPERINTENDENT GRAZIANO: So there is  
3 additional work that needed to be done on the  
4 Weybridge elevated tank at Weybridge Road and we  
5 have already received the money covering the  
6 additional costs. CDM is looking for in their  
7 proposal of \$16,320. They are just looking for  
8 approval to bring the upper limit of the  
9 inspection work of \$72,870.

10 We have already received payment from Sprint  
11 and we are net/net.

12 DIRECTOR CELENDER: Are they going to stay  
13 under that amount?

14 SUPERINTENDENT GRAZIANO: We took in a little  
15 bit extra money so hopefully they do. There is  
16 money under a different -- the construction  
17 portion of it as well so at the end of this  
18 whole procedure -- every cell carrier has not  
19 hit their time line that they gave Keith when he  
20 put his proposal together. They have all  
21 exceeded it and up to this date this is where we  
22 feel we are at, we feel we are covered we have  
23 additional money like you said in the  
24 construction portion a different line item that  
25 we feel we can cover if there is any shortages.



1 So we are monitoring it closely.

2 DIRECTOR LEVY: Do you need a motion?

3 CHAIRPERSON KALNICK: Yes, Dan.

4 DIRECTOR LEVY: I so move.<sup>19</sup>

5 DIRECTOR CELENDER: Second it.

6 CHAIRPERSON KALNICK: All in favor?

7 (Whereupon all directors responded in the  
8 affirmative.)

9 CHAIRPERSON KALNICK: Any opposed or  
10 abstentions?

11 (No response.)

12 SUPERINTENDENT GRAZIANO: The last item that  
13 I sent out and came in after Deb sent the Board  
14 packet out is a proposal from PWGC which is Paul  
15 Grosser's firm. The Board members that have  
16 been around for a while all know Paul Grosser's  
17 firm used to do exclusively all of our  
18 environmental engineering work. Due to what's  
19 occurring down here --

20 MR. LIMMER: Greg, why don't we hold this  
21 until after the Executive Session when we  
22 discuss possible litigation.

23 SUPERINTENDENT GRAZIANO: Okay.

24 \_\_\_\_\_

25 <sup>19</sup> Resolution #20-04-18

1 CHAIRPERSON KALNICK: All right. With that,  
2 motion to go into Executive Session?<sup>20</sup>

3 DIRECTOR CELENDER: So moved. DIRECTOR LEVY:  
4 Second.

5 The Board went into Executive Session from 12:40 P.M. to  
6 1:30 P.M. At the end of Executive Session, Chairperson Kalnick  
7 announced no action had been taken and no minutes produced.

8 MR. LIMMER: I propose a motion to ratify the  
9 agreement with James Periconi in accordance with  
10 his engagement letter dated March 20, 2020 and  
11 directing General Counsel Limmer to speak with  
12 Mr. Periconi to discuss -- to report back to the  
13 board a cap or some sort of governing oversight  
14 with regard to his fees and the hours that he  
15 will be spending without coming back to the  
16 board.

17 CHAIRPERSON KALNICK: Motion to accept?<sup>21</sup>

18 DIRECTOR LEVY: I so move.

19 DIRECTOR WEINBERG: Second.

20 CHAIRPERSON KALNICK: All in favor?

21 (Whereupon all directors responded in the  
22 affirmative.)

23 \_\_\_\_\_  
24 <sup>20</sup> Resolution #20-04-19

25 <sup>21</sup> Resolution #20-04-20

1 CHAIRPERSON KALNICK: Any opposition or  
2 abstentions?

3 (No response.)

4 MR. LIMMER: The second resolution would be:  
5 Approving the proposed engagement letter from PW  
6 Grosser Consulting, Inc. in accordance with its  
7 letter dated April 9, 2020 with the direction  
8 that all communications from Paul Grosser that  
9 are in writing whether by e-mail or otherwise.  
10 Both go through counsel, Stephen Limmer.

11 CHAIRPERSON KALNICK: Motion to approve?<sup>22</sup>

12 DIRECTOR CELENDER: So moved.

13 DIRECTOR LEVY: Second.

14 CHAIRPERSON KALNICK: All in favor?  
15 (Whereupon all directors responded in the  
16 affirmative.)

17 CHAIRPERSON KALNICK: Any opposed or  
18 abstentions?

19 (No response.)

20 MR. LIMMER: The third proposed resolution  
21 would be to enter into a boundary line agreement  
22 and irrevocable nonexclusive easement with

23 \_\_\_\_\_

24 <sup>22</sup> Resolution #20-04-21

25 Jennifer Dashevsky of One Shore Drive clearly

1 establishing the boundary line agreement between  
 2 her property, One Shore Drive and the Water  
 3 Authorities' boundary in accordance with their  
 4 respective deeds and the revocable easement with  
 5 Jennifer Tuchinsky allowing her to utilize  
 6 certain property where she has landscaping on  
 7 Water Authority property and some fences on  
 8 Water Authority property that would allow her to  
 9 retain those on a non-exclusive basis and the  
 10 easement would be revocable at any time for any  
 11 reason by the Water Authority or Jennifer  
 12 Tuchinsky and that would also include a hold  
 13 harmless for any, other than the Authority,  
 14 injuries on that portion of the property over  
 15 which she has that easement.

16 CHAIRPERSON KALNICK: Motion to approve?<sup>23</sup>

17 DIRECTOR LEVY: I so move.

18 DIRECTOR CELENDER: Seconded.

19 MR. LIMMER: And a similar boundary line  
 20 agreement and revocable easement agreement  
 21 Abraham Soleimani --

22 CHAIRPERSON KALNICK: All in favor?

23 \_\_\_\_\_  
 24 <sup>23</sup> Resolution #20-04-22

25 (Whereupon all directors responded in the

1 affirmative.)

2 CHAIRPERSON KALNICK: Any opposition or  
3 abstention?

4 (No response.)

5 MR. LIMMER: And a similar boundary line  
6 agreement and easement agreement with Abraham  
7 and Judith Soleimani who reside at 6 Juniper  
8 Drive, again establishing the boundary line in  
9 accordance with their respective deeds and the  
10 easement would be non-exclusive and revocable at  
11 any time or for no reason by the Water Authority  
12 or by the Soleimanis and it would hold harmless  
13 the Water Authority for any injuries on the  
14 easement area caused by somebody from the  
15 Authority.

16 CHAIRPERSON KALNICK: Motion to approve?

17 DIRECTOR LEVY: I so move.<sup>24</sup>

18 DIRECTOR WEINBERG: Second.

19 CHAIRPERSON KALNICK: All in favor?

20 (Whereupon all directors responded in the  
21 affirmative.)

22

23

24 <sup>24</sup> Resolution #20-04-23

25 CHAIRPERSON KALNICK: Any opposition or

1 abstentions?

2 (No response.)

3 CHAIRPERSON KALNICK: Motion to adjourn.

4 Thank you, all.

5 DIRECTOR LEVY: I so move.

6 DIRECTOR CELENDER: Second.

7

8 (Whereupon all directors responded in the  
9 affirmative.)

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11 (Time noted: 1:35 P.M.)

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