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2 BOARD MEETING OF THE WATER AUTHORITY

3 OF GREAT NECK NORTH

4 _____X

5 50 Water Mill Lane
6 Great Neck, New York
7 Held via Microsoft Teams
8 September 21, 2020
9 6:00 P.M.

8

9 **TRANSCRIPT OF PROCEEDINGS**

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

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

14 Jean Celender, Director, Village of Great Neck Plaza

15 Carol Frank, Director, Town of North Hempstead

16 Jay Johnneas, Director, Village of Great Neck

17 Dan Levy, Director, Village of Saddle Rock

18 Susan Lopatkin, Director, Village of Kensington

19 Michael Smiley, Director, Village of Great Neck Estates

20 Steven Weinberg, Director, Village of Thomaston

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22 ¹ The regular monthly meeting of the Board of Directors of the Water Authority of Great Neck North was held on September 21, 2020, at 6:00 P.M. in accordance with Governor Cuomo's March 13, 2020 Executive Order No. 202.1, extended by Executive Order No. 202.55, which permitted public meetings to be held remotely by conference call. The meeting was held by a video conference using Microsoft Team. 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 Michael Rispoli, Assistant Superintendent

7 Adam Solow, Supervisor of Water Plant Operations

8 Judith Flynn, Treasurer

9 Debra Ray, Secretary

10

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

12 Gary Stuart, Associate, CDM Smith,

13 Consulting Engineers

14

15 NOT PRESENT:

16 Sue Huang, Civil Engineer

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1 CHAIRPERSON KALNICK: Can I have a motion to
2 approve the draft minutes of August 17? [Res. #20-09-01]

3 MEMBER LEVY: I so move.

4 CHAIRPERSON KALNICK: Seconded by?

5 DIRECTOR SMILEY: Second.

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

8 CHAIRPERSON KALNICK: Any abstentions?

9 (No response.) Approval of the abstract of
10 claims? [Res. #20-09-02]

11 DIRECTOR WEINBERG: I so move.

12 DIRECTOR LEVY: Second.

13 CHAIRPERSON KALNICK: All in favor? (Whereupon all
14 members responded in the affirmative.)

15 CHAIRPERSON KALNICK: Any abstentions? (None.)

16 Treasurer's Report. Anything unusual, Judy?

17 Ms. FLYNN: Nothing to report.

18 CHAIRPERSON KALNICK: Approval of the Treasurer's

19 Monthly Report?

20 DIRECTOR WEINBERG: I so move.

21 DIRECTOR LEVY: Second.

22 CHAIRPERSON KALNICK: All in favor?

23 (Whereupon all members responded in the
24 affirmative.)

25 CHAIRPERSON KALNICK: Any abstentions?

26 (No response.) [Res. #20-09-03]

27 SUPERINTENDENT GRAZIANO: Judy, you can start.

1 (Whereupon there was a discussion held off
2 the record.)

3 MS. FLYNN: This is the draft capital plan
4 and operating plan for 2021. The operating plan
5 increase is 4.73% which is due to an increase of
6 88% in the New York State Local Retirement Fund
7 pension expense. This expense is partly due to
8 a non-cash expense. We only have to pay approximately \$325,000, but
9 the pension expense for the income statement
10 for 2020 will be \$726,000 and we budgeted
11 \$750,000 for 2021. Taking this increase
13 out of the operating
14 plan there would only be 0.93%, which is less than a 1%
15 increase in the operating plan.

16 CHAIRPERSON KALNICK: Any
17 questions?

18 DIRECTOR LOPATKIN: I have a question.
19 Can you tell me where that is, on what page
20 of the operating plan? Because I can't find it.

21 MS. FLYNN: Sure. Page eight, and it's the
22 first expense under "employee benefits."

23 DIRECTOR LOPATKIN: Okay. So you're saying
24 that the actual retirement cost is 720 and
25 change and we budgeted 400.

1 Why is there such a big difference?

2 MS. FLYNN: The difference is because of
3 how the New York State Local Retirement Fund did
4 this year, so every organization is going to have a
5 larger expense than what they had expected but
6 the actual amount that we need to
7 pay is only approximately \$325,000.
8 The remainder is a non-cash expense
9 that's going to flow through the income
10 statement.

11 DIRECTOR LOPATKIN: Wait, wait, wait.
12 It's a non-cash expense?

13 I mean these look like they are cash
14 expenses. You are saying that you need to have
15 a bigger contribution? Isn't that a cash
16 expense?

17 MS. FLYNN: Well, so no. What will be
18 expensed is \$726,000, but what we will actually
19 pay is about \$325,000.

20 DIRECTOR LOPATKIN: So can you -- I'm not
21 following -- why would we pay so much less than
22 what we are expensing?

23 MS. FLYNN: It becomes a liability.

24 DIRECTOR LOPATKIN: Are you talking about this

1 being an unfunded -- is this one of those future liabilities?

2 MS. FLYNN: Yes.

3 DIRECTOR LOPATKIN: Oh, okay. That's fine. So
4 it's not a cash flow item. All right. I'm with
5 you.

6 MS. FLYNN: Without that portion of expense
7 the plan would only increase less
8 than 1%.

9 DIRECTOR LOPATKIN: Okay. Got it.

10 MS. FLYNN: Okay.

11 CHAIRPERSON KALNICK: Can I have a motion to
12 approve the draft budget?

13 DIRECTOR LOPATKIN: So moved.

14 CHAIRPERSON KALNICK: Second.

15 All in favor?

16 (Whereupon all members responded in the
17 affirmative.) [Res. #20-09-04]

18 CHAIRPERSON KALNICK: Gary, Engineering
19 Status Report?

20 MR. STUART: Hi, everybody.

21 The report was included in your
22 packet. I guess in keeping with what we have
23 been doing on these remote meetings, I guess is
24 to answer questions for anything instead of just

1 reading it verbatim like usual.

2 I know that three of the projects will be on
3 the agenda later under Greg's section: Well 8, Woodland
4 Place and Bromley Lane.

5 CHAIRPERSON KALNICK: Other than those three
6 items, any questions?

7 (No response.)

8 CHAIRPERSON KALNICK: Mike?

9 MR. RISPOLI: Good evening, everybody.

10 As in years past it's time for the Authority
11 to do our annual leak detection system-wide so I
12 have a short memo here describing the request
13 for bids, the costs, the amount of money we
14 saved last year by the number of leaks we found, and
15 how it is financially viable.

16 The cost of last year's leak protection
17 saved the WA about 17 times that amount with the leaks
18 that we found and repaired, so with the
19 breakdown of the proposal here I am just
20 proposing that we move forward with New York
21 Leak Detection -- for the rest of this year
22 for leak detection throughout our entire system.

23 It's a \$500 increase from last year.

24 Every two years there is a \$500
25 increase which has been discussed with New York

1 Leak Detection and that's kind of the plan
 2 moving forward,
 3 but with the amount of leaks that
 4 we find and the amount of money we do save
 5 through leaks found and repaired, I would highly
 6 suggest that we move forward with this survey
 7 this year and moving forward.

8 So I would propose the Board approve the
 9 proposal.

10 CHAIRPERSON KALNICK: Any questions?

11 (No response.)

12 CHAIRPERSON KALNICK: Motion to approve?

13 [Res. #20-09-05]

14 DIRECTOR WEINBERG: Motion to approve.

15 DIRECTOR LEVY: Second.

16 CHAIRPERSON KALNICK: All those in favor?

17 (Whereupon all members responded in the
 18 affirmative.)

19 CHAIRPERSON KALNICK: Any abstentions?

20 (No response.)

21 DIRECTOR LOPATKIN: I just want to point out
 22 that Jean is on the line. Jean can't be heard -
 23 but she is attending the
 24 meeting, her initials are JC, she is listed
 25 there. She texted me and she is not clear why

1 she can't be heard.

2 CHAIRPERSON KALNICK: It shows on mute.

3 SUPERINTENDENT GRAZIANO: Her microphone is on mute.

4 She has got to go on the screen. There is a
5 microphone on the screen, she can unmute it.

6 MR. RISPOLI: So we had our bid opening for
7 asphalt paving restoration on September 3rd. We
8 received three bids. The bidders are listed
9 there.

10 We received very competitive pricing from
11 DeRosa Contracting which has been the Authority's
12 asphalt contractor for many, many years.
13 His price is actually an 18% decrease from
14 his previous three-year proposal or bid, I
15 should say, and this letter is proposing the
16 board award the paving contract for the next
17 three years: 2021, 2022 and 2023 to
18 De Rosa Contracting.

19 DIRECTOR LOPATKIN: So moved.

20 DIRECTOR LEVY: Second.

21 CHAIRPERSON KALNICK: All in favor?

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

24 CHAIRPERSON KALNICK: Any abstentions?
25 (No response.) [Res. #20-09-06]

1 MR. GRAZIANO: First item I have is proposal
2 for the renewal of the antenna license with the
3 Village of Kings Point for their police
4 department on our Weybridge Road elevated tank.

5 They have been up there for
6 at least like 10 years at this point, and
7 this would be an extension for another five
8 years, currently at five-year renewals, right,
9 Steve?

10 MR. LIMMER: Yes, five years.

11 I drafted basically the
12 same contract, just extending it, but you need a
13 resolution since I represent the Water Authority
14 and the Village, you know, waiving any conflict.
15 Neither the Mayor of
16 the Village of Kings Point nor the Chairman of
17 the Water Authority should be signing the
18 agreement.

19 So it's set up for,
20 right now, for Bob to sign it as Deputy
21 Chairperson and David Harounian as Deputy Mayor
22 to sign it.

23 So the Board just has to
24 authorize Bob to sign as Deputy Chairperson on
25 behalf of the Authority.

1

2

DIRECTOR SMILEY: So moved.

3

CHAIRPERSON KALNICK: So moved.

4

MR. LIMMER: Is that both for the waiver [Res. #20-09-07]

5

and for the authorization [Res. #20-09-08]?

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CHAIRPERSON KALNICK: Yes. Do I have a second?

7

DIRECTOR JOHNEAS: Second.

8

CHAIRPERSON KALNICK: All those in favor?

9

(Whereupon all members responded in the

10

affirmative.)

11

CHAIRPERSON KALNICK: Any abstentions?

12

(No response.)

13

SUPERINTENDENT GRAZIANO: Next item is AT&T has

14

requested to put a generator in an outside sound

15

attenuated enclosure up at the Weybridge Road

16

site. In the event of a power failure their

17

cell antennas will continue to work.

18

They initially started out with offering me

19

\$150 a year for the generator. I requested

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\$12,000 a year and I have them right

21

now at \$9,600 a year, so I think we went far away

22

from \$150 to \$9,600. It would be

23

part of their normal rent of their 3% or CPI,

24

whichever is higher increase per year. So that

1 would be subject to those increases per year, it
2 would just be an addendum to their lease
3 agreement.

4 Next year they are on schedule to be paying a
5 little over \$75,000 annually so this would just
6 go on top of it and obviously right now the 3%
7 increase is higher than what the CPI would bring
8 moving forward, so based on those numbers I
9 think it's a very fair deal for the Authority.
10

11 DIRECTOR LEVY: I think we should take it then.
12 You want me to move on it?

13 CHAIRPERSON KALNICK: Yes.

14 DIRECTOR LEVY: I will adopt that.

15 CHAIRPERSON KALNICK: Second?

16 DIRECTOR WEINBERG: Second.

17 CHAIRPERSON KALNICK: All those in favor?

18 (Whereupon all members responded in the
19 affirmative.)

20 CHAIRPERSON KALNICK: Any abstentions?

21 (No response.) [Res. #20-09-09]

22 SUPERINTENDENT GRAZIANO: Okay. The next item is proposal
23 from P.W. Grosser for environmental
24 consulting services related to the impact of the
25 Lockheed Martin contamination at 50 Watermill Lane.

1 Does everyone have the proposal in front of
2 you? I can pull it up on the screen if someone
3 doesn't have it.

4 DIRECTOR LOPATKIN: I have it.

5 SUPERINTENDENT GRAZIANO: So the proposal is for the not
6 to exceed amount of \$4,000 however, it excludes
7 litigation support.

8 So Steve would like litigation support to be
9 added in at an hourly rate. You can see their
10 hourly rates at the very back -- meaning Steve
11 Limmer. There are multiple Steves on the
12 phone -- I think we are looking for approval,
13 right, Steve, on the \$4,000?

14 MR. LIMMER: Greg, I sent you an e-mail in
15 between our discussion before, but what I want
16 to add, and it wouldn't be within the cap they
17 put on it, and I'll read it to you and I can
18 read it again if anyone wants to modify the wording.

19 In the scope of work
20 I would add a new item four,
21 and my concern is I don't want to get a report
22 then we go to trial and they say we don't want
23 to testify, then the report isn't worth
24 anything. So the fourth item I would add to the
25 scope of work: Cooperate with WAGNN and its

1 offices and attorneys in its litigation with
 2 Lockheed Martin Corporation which shall include,
 3 but not be limited to: (A) communicating with
 4 and providing advice to WAGNN and its attorneys;
 5 (B) assisting WAGNN and its attorneys in
 6 drafting documents seeking disclosure and
 7 responding to disclosure requests; (C)
 8 appearing for examinations before trial to
 9 advise WAGNN as to its questioning and to
 10 testify; and (D) appearing at trials to advise
 11 WAGNN as to its questioning and to testify.

12 So I'm open to any suggested modifications
 13 but that's my proposed addition to the scope of
 14 work.

15 DIRECTOR WEINBERG: Just a quick question:
 16 Is this something that we should talk about in
 17 the general meeting or is this something we
 18 should discuss in Executive Session?

19 MR. LIMMER: If you think there is more to
 20 add that you want to go into in Executive
 21 Session, we can do that. I thought this was
 22 easy enough to do without going into Executive
 23 Session, but if you want to go into Executive
 24 Session for it, we can. I mean the litigation
 25 is obviously known to Lockheed Martin, they have

1 the complaint.

2 DIRECTOR WEINBERG: Okay.

3 MR. LIMMER: So it's up to you. Any way you
4 want to handle it.

5 DIRECTOR WEINBERG: Probably no need to go
6 into Executive Session.

7 MR. LIMMER: It depends what you had in mind,
8 Steve.

9 DIRECTOR WEINBERG: Generally acceptable,
10 it's fine as is.

11 Director Celender is now entering the meeting as a phone
12 call. (6:23 p.m.)

13 DIRECTOR CELENDER: Hello. Sorry for my techno
14 problems.

15 SUPERINTENDENT GRAZIANO: You can hear us fine now?

16 DIRECTOR CELENDER: Yes. I heard you before,
17 you just couldn't see or hear me, but thank you for your
18 patience.

19 DIRECTOR WEINBERG: Sure. Sorry, Steve
20 Limmer, go ahead.

21 MR. LIMMER: That's okay.

22 So it's up to Mayor Weinberg. If you want to
23 go into Executive Session to discuss is it, we
24 can.

1 DIRECTOR WEINBERG: As I said, I didn't have
2 anything substantive to add, I was just raising
3 it as a point of information. If we are not
4 going to have any substantive discussion then I
5 see no need.

6 MR. LIMMER: Okay. You can approve the
7 proposal as modified in providing -- you know,
8 adding that language and providing that it's not
9 within the \$4,000 limit, you know, from what
10 they've proposed.

11 DIRECTOR WEINBERG: So moved.

12 DIRECTOR CELENDER: Second.

13 SUPERINTENDENT GRAZIANO: Steve moved it and Jean
14 seconded it.

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

18 CHAIRPERSON KALNICK: Any abstentions?
19 (No response.) [Res. #20-09-10]

20 MR. LIMMER: Greg, you can send that language
21 over to them and they can give you a new letter?

22 SUPERINTENDENT GRAZIANO: Sure. Thank you, Steve.

23 MR. LIMMER: You're welcome.

24 SUPERINTENDENT GRAZIANO: All right. Next item
25 is the Authority received bids on

1 September 15th and CDM has reviewed the bids. This
 2 is for the Well 8 Storm Mitigation Project.
 3 This would be the last of that SMLP projects
 4 that we got that \$15 million for.

5 The low bidder was East End Group and CDM did
 6 some background checks on them. They seem to
 7 check out okay -- because none of us were
 8 familiar or worked with East End Group before.

9 I spoke to the Superintendent of South
 10 Farmingdale Water who I know very well in
 11 addition and he spoke very highly of East End
 12 Group. They did really good, quality work, they
 13 did timely work. He said, you know, just keep
 14 an eye out on change orders, in the level of
 15 their change orders, but other than that they
 16 did everything in a timely fashion.
 17 So based on that I recommend you award East
 18 End Group for \$2,870,251.

19 DIRECTOR LEVY: Motion to approve.

20 DIRECTOR LOPATKIN: Second.

21 SUPERINTENDENT GRAZIANO: Dan moved, Susan seconded.

22 CHAIRPERSON KALNICK: All those in favor?

23 (Whereupon all members responded in the
 24 affirmative.)

25 CHAIRPERSON KALNICK: Any abstentions?

1 (No response.) [Res. #20-09-11]

2 (Whereupon there was a discussion held off
3 the record.)

4 SUPERINTENDENT GRAZIANO: Next item is the
5 water main job for Woodland Place. Looks like
6 we are finally moving with this project after
7 about eight years.

8 The lowest bidder on this project was Bancker
9 Construction for \$55,555.45. Obviously Bancker
10 has the experience to complete this small job.

11 I would like the Board to approve Bancker
12 pending payment from the contractor for the
13 funds to proceed. We do not have this money in
14 hand yet from the contractor.

15 DIRECTOR LEVY: I move.

16 DIRECTOR JOHNEAS: Second.

17 CHAIRPERSON KALNICK: All those in favor?

18 (Whereupon all members responded in the
19 affirmative.)

20 CHAIRPERSON KALNICK: Any abstentions?

21 (No response.) [Res. #20-09-12]

22 SUPERINTENDENT GRAZIANO: Same thing with the next item,
23 Bancker for Bromley Lane water main extension.
24 This is for the school district. Bancker is the
25 low bidder at \$64,182.55.

1 I ask that the Board approve based on
2 receiving the funds from the school district
3 prior to construction.

4 DIRECTOR CELENDER: I'll move on that.

5 DIRECTOR LEVY: Second.

6 CHAIRPERSON KALNICK: All those in favor?
7 (Whereupon all members responded in the
8 affirmative.)

9 CHAIRPERSON KALNICK: Any abstentions?
10 (No response.) [Res. #20-09-13]

11 SUPERINTENDENT GRAZIANO: The next item is the Emerging
12 Contaminant Treatment Water Project at Watermill
13 Lane. This is a negative declaration.

14 We went through the process and when it's to
15 be finished. We are looking for the Board to
16 give us authorization for a
17 negative declaration for the upcoming 1, 4
18 Dioxane, PFOA and PFOS Treatment Project at Watermill
19 Lane facility.

20 MR. LIMMER: H2M drafted and I approved it.

21 SUPERINTENDENT GRAZIANO: Actually, Sue drafted it. I
22 want to give credit -- Sue did most of it, then
23 she had H2M comment then she sent it to you for
24 final comment. She did the whole engineering

1 report and everything.

2 MR. LIMMER: I thought H2M revised it.

3 SUPERINTENDENT GRAZIANO: So yeah, Sue, H2M and you.

4 MR. LIMMER: I apologize, Sue.

5 SUPERINTENDENT GRAZIANO: She is not on, she is at a
6 class tonight.

7 MR. LIMMER: Okay. I still apologize.

8 DIRECTOR CELENDER: I make a motion to approve.

9 DIRECTOR WEINBERG: Second.

10 All those in favor?

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

13 CHAIRPERSON KALNICK: Any abstentions?

14 (No response.) [Res. #20-09-14]

15 SUPERINTENDENT GRAZIANO: Next item is the Five Year
16 Capital Plan which as you can see lays out what
17 the proposed--but still unknown at this time--
18 capital costs would be going forward. This is
19 strictly a guesstimate which we will get into
20 further conversation about in Executive Session.
21 Please see up above in the
22 top where it says "number one distribution
23 system," it's very, very little water main work we
24 are doing. We are cutting back dramatically as
25 we are switching gears to the treatment

1 side. You will see how much is under the
2 treatment line number three, with potentially
3 more to come depending on how the numbers go.

4 So this is the Five-Year Capital Plan. We just
5 need an approval to accept this.

6 [Res. #20-09-15]

7 DIRECTOR CELENDER: Motion to approve.

8 DIRECTOR LOPATKIN: Second.

9 CHAIRPERSON KALNICK: All those in favor?

10 (Whereupon all members responded in the
11 affirmative.)

12 CHAIRPERSON KALNICK: Any abstentions?

13 (No response.)

14 SUPERINTENDENT GRAZIANO: We are ready to go into
15 Executive Session for advice of counsel.

16 DIRECTOR LOPATKIN: So moved.

17 DIRECTOR FRANK: Second.

18 (Where the Board Directors went into Executive
19 Session at 6:30 P.M.)

20 At 7:11 P.M. the Board returned from its Executive Session.

21 CHAIRPERSON KALNICK: No action was taken during Executive
22 Session and no minutes will be produced. Motion to adjourn?

23 DIRECTOR LEVY: Motion to approve. [Res. #20-09-16]

24 DIRECTOR WEINBERG: Second.

25 CHAIRPERSON KALNICK: All those in favor?

26 (Whereupon all members responded in the affirmative.)

27 CHAIRPERSON KALNICK: Any abstentions?

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(No response.) The meeting is adjourned.