

REGULAR MEETING
SUFFOLK COUNTY WATER AUTHORITY

June 23, 2022

Oakdale, New York

Present: Patrick Halpin, Chairman
Tim Bishop, Member
Elizabeth Mercado, Member
Jacqueline Gordon, Member
Charles Lefkowitz, Member

Jeffrey W. Szabo, Chief Executive Officer

The meeting was also attended by Counsel T. Hopkins, B. Malik, and J. Milazzo and by Messrs., Blevins, Bova, Brady, Cecchetto, Dubois, Durk, Finello, Fuller, Galante, Jones, Kilcommons, Kleinman, Litka, Marafino, Motz, O'Connell, Pokorny, Riegger, Seevers, Swain, Wallach, Warner, Wahl, and by Mmes. Beedenbender, Berberich, Cameron, Cetta, Hannan, Pell, Pfeuffer, Spaulding, Tinsley, and Vassallo.

B. Yatauro, President of Local 393 and Courtney Alexander, of Oak Beach was also in attendance.

Booklets containing detailed information for all Agenda items were distributed to each Member, Executive Staff and Counsel to the Authority.

At 3:16 p.m. the Chairman called the meeting to order and welcomed our new board member, Charles Lefkowitz, to the Board, and thanked him for his years of service to the community. Mr. Lefkowitz responded that he was honored to be here and looking forward to bringing his years of experience in business to the Authority.

The public was advised by Steve Galante, Director of Information Technology that they may speak during the public comment portion of the meeting by raising their hand in Zoom or dialing “*9” on the telephone.

Mr. Halpin then opened the meeting for public comment. One member of the public was present who wished to address the board at this time.

Courtney Alexander, of Oak Beach, expressed her concerns over the high cost for the installation of the new water service for 56 homes in her area. Ms. Alexander asked that AUTHORITY help fund the nine-million-dollar project. The residents of her area do not feel it is fair each home is charged \$60,000 each to build and then an additional fee to hook up. She begged AUTHORITY to

please apply for grants and funding as they have in other projects. She requested that AUTHORITY commit to funding it themselves, as she and her neighbors feel the buck is being passed to them and want to know why they are not being helped?

Mr. Szabo addressed Ms. Alexander in response to thank her for her comments and for coming and those we have received from her neighbors. This issue is one that the Town of Babylon is addressing as ordered by the Department of Health to improve the quality of the drinking water. We have been extremely aggressive in applying for grants. We will continue to work with the Town to reduce the cost.

Mr. Halpin introduced Mr. Pokorny as the point person on the project. Mr. Pokorny explained the Town of Babylon had issued contracts to do work; however, the Authority has contractors on staff that enables us to reduce the cost. We are also supplying an iron removal system to help defer the cost to the resident. Additionally, the system will be owned by the Town of Babylon and operated by the Authority under a forty-year agreement.

Mr. Halpin expressed that he clearly is aware of the situation, as he does not live far from the affected area, and we are staying on top of the project and any available options. Mr. Szabo thanked Ms. Alexander for her comments.

Mr. Szabo introduced Mr. Pokorny to give a presentation on the current supply chain issues and how they are affecting the AUTHORITY.

Mr. Pokorny explained that since mid-2021, prices of supplies have increased 30-50% and shipping delays have gone to several months. We have experienced requests to terminate contracts and vendors who are not rebidding due to the high price increases.

Mr. Halpin asked if there were any other questions regarding Mr. Pokorny's presentation. Seeing none, he asked Mr. Szabo to explain the reports in the packet for Mr. Lefkowitz and the board.

Mr. Szabo explained the monthly report provided to the board and posted on the website explaining the effect of 1,4-dioxane treatment and adding that once or twice a year, Mr. O'Connell or Mr. Kilcommons will address the board. The pumpage report highlighted a significant decrease of 16%, compared to May of last year.

Mr. Pokorny added that this number is on target with the five-year average and these numbers are dependent on weather. Mr. Szabo added we would be receiving another update in the fall.

Mr. Halpin then presented the minutes of the regular meeting of May 23, 2022, for approval. On motion made by Mr. Bishop, duly seconded by Ms. Mercado, and unanimously carried,

with Mr. Lefkowitz abstaining, the minutes of the regular meeting held on May 23, 2022, were approved.

Mr. Halpin then presented the minutes of the special meeting called on June 3, 2022, for approval. On motion made by Ms. Mercado, duly seconded by Ms. Gordon, and unanimously carried with Mr. Lefkowitz abstaining, the minutes of the regular meeting held on June 3, 2022, were approved.

Mr. Szabo referred to contracts scheduled to expire shortly, and he recommended that the Authority exercise its option to extend these contracts in accordance with the letters of recommendation. These items were considered on consent and on motion made by Ms. Mercado, duly seconded by Mr. Lefkowitz, and unanimously carried, it was

(175-06-2022) RESOLVED, To extend for the period beginning September 1, 2022, and ending August 21, 2023, Contract 7630 for electrical work at various Authority office buildings with New York Trenchless in accordance with the specifications, terms and conditions of the contract.

RESOLVED, To extend for the period July 1, 2022 through June 30, 2023 Contract 7692, for the repair of underground locating devices with Pollardwater in accordance with the specifications, terms and conditions of the contract.

RESOLVED, To extend for the period beginning July 1, 2022 through June 30, 2023 Contract 7694 to furnish and deliver underground locating devices with Mohawk Ltd. in accordance with the specifications, terms and conditions of the contract.

RESOLVED, To extend for the period beginning July 1, 2022 through June 30, 2023, Contract 7697 for the removal and disposal of chlorinated wastewater from various sites with Island Pump & Tank Inc. in accordance with the specifications, terms and conditions of the contract.

RESOLVED, To extend for the period from August 1, 2022 to July 21, 2023, Contract 7705 for welding and fabrication and repairs with Retro Fit, Inc. in accordance with the specifications, terms and conditions of the contract.

RESOLVED, to extend for the period from July 1, 2022 to June 30, 2023, Contract 7758 to furnish and deliver tools with Colonial Hardware Corp. in accordance with the specifications, terms, and conditions of the contract.

RESOLVED, to extend the period from August 1, 2022 to July 31, 2023, Contract 7766 for non-destructive vacuum excavating construction hole services, Group I and Group II with Badger Daylighting Corp. in accordance with the specifications, terms, and conditions of the contract.

Mr. Szabo then reviewed Contracts 7847, 7849, 7850, 7852, 7854, 7855, 7858, 7864. Mr. Szabo recommended that these contracts be awarded/rejected in accordance with the letters of recommendation. On motion made by Mr. Lefkowitz, duly seconded by Ms. Gordon, and unanimously carried, it was

(176-06-2022) RESOLVED, To reject all bids received for Contract 7847 for maintenance and repair of fire and burglar alarm systems and card access system at various Authority sites in Suffolk County during the period beginning June 1, 2022, through May 31, 2023, due to lack of bidders; the contract will be re-bid.

On motion made by Ms. Gordon, duly seconded by Ms. Mercado, and unanimously carried, it was

(177-06-2022) RESOLVED, That only bid received under Contract 7849, to furnish and deliver valve boxes from August 1, 2022, to July 31, 2023 submitted by General Foundries, Inc. of North Brunswick, New Jersey in the amount of Five Hundred Sixteen Thousand Dollars (\$516,000) and is hereby accepted; and that any member and/or the Chief Executive Officer be and hereby is authorized to execute this contract on behalf of the Authority.

On a motion made by Ms. Mercado, duly seconded by Mr. Bishop, and unanimously carried, it was

(178-06-2022) RESOLVED, That the only bid received under Contract 7850 to furnish and deliver chemical pumps and parts from July 1, 2022, through June 30, 2023, submitted by G.P. Jager Inc. of Kinnelon, New Jersey, be and hereby is rejected; this contract will be re-bid in the future.

On motion made by Mr. Bishop, duly seconded by Mr. Lefkowitz, and unanimously carried, it was

(179-06-2022) RESOLVED, That the low bids for items 1-11, 13, 15, 17, 19-61, 63, 64-68, 70-73, 76, 78-80 under Contract 7852 to furnish and deliver waterworks supplies, tools and equipment from July 1, 2022, through June 30, 2023, submitted by Pollard Water of New Hyde Park, New York on a unit-price basis as stipulated in the bidder's proposal and calculated on estimated quantities indicated in the contract documents, at an estimated total amount of Three Hundred Nineteen Thousand One Hundred Ninety Five Dollars (\$319,195) and be and hereby is accepted; and be it

FURTHER RESOLVED, That the low bid for Item 18 under Contract 7852 submitted by VelveTop Products of Huntington Station, New York on a unit-price basis as stipulated in the bidder's proposal and calculated on estimated quantities indicated in the contract documents, at an estimated total amount of Four Thousand Five Hundred Dollars, (\$4,500) be and hereby is accepted; and that any Member and/or the Chief Executive Officer be and hereby is authorized to execute these contracts on behalf of the Authority.

On motion made by Mr. Lefkowitz, duly seconded by Ms. Gordon, and unanimously carried, it was

(180-06-2022) RESOLVED, That the low bid under Contract 7854 to furnish and install carpet tile and cove base, during the one-year period beginning June 1, 2022 through May 31, 2023 submitted by Milburn Flooring Mills of Copaugue, New York, on a unit-price basis as stipulated in the bidder's proposal and calculated on estimated quantities indicated in the contract documents, be and hereby is accepted; and that any Member and/or the Chief Executive Officer be and hereby is authorized to execute this contract on behalf of the Authority.

On motion made by Ms. Gordon, duly seconded by Ms. Mercado, and unanimously

carried, it was

(181-06-2022) RESOLVED, That the low bid under Contract 7855 for the maintenance of heating, ventilation, and air conditioning equipment at various Authority sites from July 1, 2022, through June 30, 2023, submitted by KS Mechanical Service Corp of Bohemia, New York, on a unit-price basis as stipulated in the bidder's proposal and calculated on estimated quantities indicated in the contract documents, at an estimated total amount of One Hundred and Two Thousand Five Hundred Dollars (\$102,500) be and hereby is accepted; and that any Member and/or the Chief Executive Officer be and hereby is authorized to execute this contract on behalf of the Authority.

On motion made by Ms. Mercado, duly seconded by Mr. Bishop, and unanimously carried, it was

(182-06-2022) RESOLVED, That the low bid under Contract 7858 for the inspection of fire hydrants at various locations in Suffolk County from August 1, 2022, through July 31, 2023, submitted by Building Services Industries, LLC of Riverhead, New York, on a unit-price basis as stipulated in the bidder's proposal and calculated on estimated quantities indicated in the contract document, at an estimated total amount of Two Hundred Twenty Four Thousand, Three Hundred Eighty Dollars (\$224,380) , be and hereby is accepted; and that any Member and/or the Chief Executive Officer be and hereby is authorized to execute this contract on behalf of the Authority.

On motion made by Mr. Lefkowitz, duly seconded by Ms. Gordon, and unanimously carried, it was

(183-06-2022) RESOLVED, That under Contract 7864 to furnish and deliver thermoplastic, fiberglass reinforced concrete polymer and concrete meter vault from August 1, 2022, through July 31, 2023, submitted by Alessio Pipe & Construction Co., Inc. of Huntington Station, New York, on a unit-price basis as stipulated in the bidder's proposal and calculated on estimated quantities indicated in the contract documents, at an estimated total amount of Eleven Thousand, One Hundred Twenty Five Dollars (\$11,125) be and hereby is accepted; and that any Member and/or the Chief Executive Officer be and hereby is authorized to execute this contract on behalf of the Authority.

Mr. Szabo then referenced items listed under Special Services for consideration.

On motion made by Ms. Gordon, duly seconded by Ms. Mercado, and unanimously carried, it was

(184-06-2022) RESOLVED, To extend the contract under RFP 1570, for performance of water tank engineering services from July 1, 2022, through June 30, 2023 for a second year of the contract with D & B Engineers & Architects, Inc. (Dvirka & Bartilucci) of Woodbury, New York.

On motion made by Ms. Mercado, duly seconded by Mr. Bishop, and unanimously carried, it was

(185-06-2022) RESOLVED, To extend the contract under RFP 1571, for geoprobe services from July 1, 2022, through June 30, 2023, a second year of the contract be with WRS Environmental Services Inc. of Yaphank, New York.

On motion made by Mr. Bishop, duly seconded by Ms. Mercado, and unanimously

carried, it was

(186-06-2022) RESOLVED, To authorize the execution of a user agreement with the Center for Global Inclusion to allow Authority more extensive access to meetings, webinars, and other beneficial components to further facilitate its Diversity, Equity, Inclusion, & Belonging goals, at no cost.

On motion made by Ms. Mercado, duly seconded by Ms. Gordon, and unanimously carried, it was

(187-06-2022) RESOLVED, That two change orders are approved for SAP Success Factors Implementation with EPI-USE at a total cost of Two Hundred Sixty Eight Thousand, Four Hundred Eight Three Dollars (\$268,483) to ensure the continued success of the investments being made to our systems, one change order applies to delay due to limited availability of Authority personnel and the second change order applies to a one-time data migration effort.

On motion made by Ms. Mercado, duly seconded by Mr. Lefkowitz, and unanimously carried, it was

(188-06-2022) RESOLVED, That the Authority enter into a five-year agreement for Ironscale services for 700 mailboxes to add a layer of email security for a cost of Twenty Thousand, Three Hundred Eighty-Five Dollars and forty cents (\$20,385.40) with the option to add users at the promotional pricing for the five-year term; and that any Member and/or the Chief Executive Officer be and hereby is authorized to execute this contract on behalf of the Authority.

Mr. Szabo explained we are ramping up on our education regarding what is safe to click on and what should be deemed a potential threat. Mr. Lefkowitz asked if there had been cyber security issues in the past. Mr. Galante advised we have not suffered any breaches; however, we are always being proactive to prevent any issues. Mr. Brady emphasized that the pricing applies to all new accounts. Mr. Halpin asked for clarification on what is meant by remediation. Mr. Galante and Mr. Brady explained potentially harmful emails are removed from the person's computer and potentially across the group or system if necessary, and it uses artificial intelligence to learn and rate the users.

Mr. Szabo then expressed there were two resolutions for members of the Authority to attend different educational programs and asked the board to take them under consideration.

On motion made by Ms. Gordon, duly seconded by Mr. Lefkowitz, and unanimously carried, it was

(189-06-2022) RESOLVED, That Mr. Joseph Pokorny and Mr. Ty Fuller be approved to attend the American Water Works Association summer workshop, taking place in Altimore, New York, at a cost not to exceed Six Hundred Dollars per person (\$600).

On a motion made by Mr. Bishop, duly seconded by Ms. Gordon, and unanimously carried, it was

(190-06-2022) RESOLVED, That Ms. Hannah Pell be authorized to attend and complete four training courses and exam to achieve the Facility Management Professional Credential at a cost not to exceed One Thousand, Five Hundred and Fifty Dollars (\$1,550).

The Members reviewed requests regarding equipment. After further explanation of

details by Mr. Szabo and Joseph Pokorny, Deputy CEO for Operations, both items were approved as follows,

On motion made by Ms. Gordon, duly seconded by Ms. Mercado, and unanimously carried, it was

(191-06-2022) RESOLVED, To authorize the replacement and reprogramming of the Engine Control Unit (ECU) on Belle Terre Road by Huntington Power Equipment of Shelton, Connecticut, in the amount of Seven Thousand, Seventy One Dollars and sixty six cents (\$7,071.66) .

On a motion made by Ms. Gordon, duly seconded by Mr. Lefkowitz, and unanimously carried it was

(192-06-2022) RESOLVED, To approve emergency procurement to furnish and deliver meter setting supplies including the brass fittings required to install new meters or complete repairs on existing meter sets by Cambridge Brass for a total cost of Thirty Thousand, Nine Hundred Twenty Two Dollars and forty one cents (\$30,922.41) and Ferguson Waterworks, for a total cost of Sixty Three Thousand, One Hundred Thirty Four Dollars and twelve cents (\$63,134.12) totaling Two Hundred and Ten Thousand, Five Hundred and Fourteen Dollars and seventy eight cents (\$210,514.78).

Mr. Szabo then referred to an application to the Department of Environmental Conservation for a replacement well. On motion made by Mr. Lefkowitz, duly seconded by Mr. Bishop, and unanimously carried it was

(193-06-2022) RESOLVED, To construct Well No. 2A at the Church Street well field, , located on Church Street, Bohemia, Town of Islip; to equip the well with one (1) electrically-driven, deep well turbine pump, motor, piping, electrical controls and miscellaneous appurtenances; and be it

FURTHER RESOLVED, That an application be made to the Department of Environmental Conservation of the State of New York and that said application may be executed by any Member of the Authority, its Chief Executive Officer, or its Chief Engineer.

Mr. Halpin remarked on the shallowness of this well. Mr. Kilcommons responded this is precisely why the well is being replaced to assist with the ammonia levels they have been monitoring over the years. The new well will be much deeper and will not encounter this issue.

After explanation by Mr. Szabo and Mr. Tim Hopkins, Chief Legal Officer, regarding the broad outline and importance of these two pieces of legislation and the impact they have on the Authority and on motion made by Mr. Bishop, duly seconded by Ms. Mercado, and unanimously carried, it was

(194-06-2022) RESOLVED, To authorize the following resolution of support to Governor Hochul to sign into law Senate Bill S956/ Assembly Bill A2620:

WHEREAS, Suffolk County Water Authority (the "Authority") is a self-supporting, public benefit corporation operating under the Public Authorities Law of the State of New York, and

WHEREAS, the Authority's system contains more than 600 wells at 240 pump stations, approximately 6,000 miles of main, and is the largest system in the nation relying solely on groundwater as its water source, and

WHEREAS, the Authority seeks to hold the parties legally responsible for contaminating Suffolk County's drinking water supply accountable for their actions, requiring the Authority to commence actions and seek damages from responsible parties, and

WHEREAS, any state assistance payment/grant made to the Authority for installing treatment systems to remove contamination caused by responsible parties may be considered a collateral source of payment pursuant to civil practice law and rules section 4545 and other laws, and

WHEREAS, the amount of any award recoverable from a responsible party may be reduced by the amount of such state assistance payment/grant resulting in the people of the State of New York effectively paying for the damages of pollution instead of the responsible party, and

WHEREAS, the Authority has been awarded nearly \$30 million in state assistance payments/grants to date, and

WHEREAS, Senator Gaughran and Assemblyman Thiele introduced S956 and A2620, respectively, to provide that state assistance payments/grants shall not be considered a collateral source payment for purposes of civil practice law and rules section 4545 and that such state assistance payments/grants must be paid back to the Environmental Facilities Corporation if the grantee obtains a monetary award or settlement from the responsible party, and

WHEREAS, on May 24, 2022 the Senate passed S956 unanimously and on May 31, 2022 the Assembly passed the bill unanimously, and

WHEREAS, the Authority fully supports cost recovery from responsible parties so that they do not benefit from state assistance payments/grants made by the Environmental Facilities Corporation and unnecessarily burdening taxpayers, now therefore be it

RESOLVED, That the Members of the Suffolk County Water Authority on the behalf of the 1,200,000 residents of Suffolk County that it serves, urges Governor Hochul to sign into law S956.

RESOLVED, To authorize the following resolution of support to Governor Hochul to sign into law Senate Bill S8763A/ Assembly Bill A9824A:

Mr. Bishop added, this maintains the principle, "the polluter pays."

WHEREAS, Suffolk County Water Authority (the "Authority") is a self-supporting, public benefit corporation operating under the Public Authorities Law of the State of New York, and

WHEREAS, the Authority's system contains more than 600 wells at 240 pump stations, approximately 6,000 miles of main, and is the largest system in the nation relying solely on groundwater as its water source, and

WHEREAS, the Authority seeks to hold the parties legally responsible for contaminating Suffolk County's drinking water supply accountable for their actions, requiring the Authority to commence actions within a statutorily prescribed timeframe set forth in the civil practice law and rules, and

WHEREAS, section 214-h of the civil practice law and rules was established in chapter 332 of the laws of 2019 to establish a new statute of limitations for public water suppliers, and

WHEREAS, section 214-h of the civil practice law and rules was intended to be remedial in nature and have retroactive effect, and

WHEREAS, the New York Court of Appeals in Regina Metropolitan Co. v. New York State Division of Housing and community Renewal, 35 N.Y.3d 332 (2020) requires that statutes intended to have retroactive or revival effect include clear language indicating the same, and

WHEREAS, Senator Gaughran and Assemblyman Thiele introduced S8763A and A9824A, respectively, to provide clear language making section 214-h of the civil practice law and rules retroactive and to revive actions, civil claims and causes of action for emerging contaminants, and

WHEREAS, on June 1, 2022 the Senate passed S8763A by a 57 to 6 vote and on June 4, 2022 the Assembly passed the bill by a 139 to 5 vote, and

WHEREAS, the Authority fully supports the legislative remedy included in this bill and the clarity it provides to drinking water suppliers in allowing them to hold responsible parties accountable for their actions in harming Suffolk drinking water supply, now therefore be it

FURTHER RESOLVED, That the Members of the Suffolk County Water Authority on the behalf of the 1,200,000 residents of Suffolk County that it serves, urges Governor Hochul to sign into law S8763A, and be it further

FURTHER RESOLVED, That the Members direct the Authority's Chief Executive Officer to transmit this Resolution of Support to Governor Hochul.

Mr. Szabo reviewed the original invoices to be paid from the Operating Fund; and on motion made by Ms. Gordon, duly seconded by Mr. Lefkowitz, and unanimously carried, it was

(195-06-2022) RESOLVED, That the following invoices be paid from the Operating Fund:

<u>Dvirka & Bartilucci</u>	\$19,112.75
<u>H2M Architechts & Engineers</u>	\$858.80
<u>Heslin Rothenberg Farley & Mesiti P.C.</u>	\$1,100.00
<u>Bond, Schoeneck & King PLLC</u>	\$76,000.00
<u>BNY Mellon</u>	\$76,000.00

On a motion made by Ms. Mercado, duly seconded by Ms. Gordon, and unaimously carried it was decided to go into Executive Session to discuss personnel matters.

Mr. Halpin called the meeting back to order and verified with Mr. Brady the public was re-entered to the meeting.

On motion made by Mr. Bishop, duly seconded by Ms. Mercado, and unanimously carried, it was

(196-06-2022) RESOLVED, To authorize the sponsorship extension of the H-1B Visa for Yang Li,

Chemist II, Laboratory Department for a total cost not to exceed Two Thousand, Five Hundred Dollars (\$2,500).

On motion made by Ms. Mercado, duly seconded by Ms. Gordon, and unanimously carried, it was

(197-06-2022) RESOLVED, To employ Patrick Felician, of Coram, in the position of Junior Engineering Technician in Construction Maintenance at an annual salary of Fifty Five Thousand Dollars (\$55,000) effective upon successful completion of pre-employment physical and background check.

On motion made by Ms. Gordon, duly seconded by Mr. Lefkowitz, and unanimously carried, it was

(198-06-2022) RESOLVED, To employ Katherine Naccarato, of East Islip, to the position of Talent Aquisition Specialist in Human Resources at an annual salary of Seventy Thousand Dollars (\$70,000) effective upon successful completion of pre-employment physical and background check.

The Members scheduled their next regular meeting for Thursday, July 28th, 2022, beginning at 10:30a.m. at the Oakdale Administration Building.

At this time, Mr. Halpin stated that the email inbox was checked for public comment and there were no comments. No one from the public wished to speak to the Members at this time.

As there was no further business to be considered, on motion made by Mr. Bishop, duly seconded by Mr. Lefkowitz, the meeting was adjourned.

Tim Bishop, Secretary