

REGULAR MEETING
SUFFOLK COUNTY WATER AUTHORITY
October 30, 2019 at 2:00 p.m.
Oakdale, New York

Present: Patrick Halpin, Chairman
Jane Devine, Secretary
Mario R. Mattera, Member
Tim Bishop, Member
Elizabeth Mercado, Member

Jeffrey W. Szabo, Chief Executive Officer

The meeting was also attended by Counsel J. Milazzo; and by Messrs. Bova, Cecchetto, Durk, Fuller, Galante, Kilcommons, Kuzman, Litka, O'Connell, Reinfrank, Torres, and by Mmes. Buccos, Cairo, Cetta, Lyon, Mancuso, Meyerowitz, Tinsley, Trupia and Vassallo

Vince Calvosa, Daniel J. Murphy and Maureen Murphy of Holbrook were also in attendance.

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

At 2:00 p.m. Chairman Halpin called the meeting to order.

Mr. Halpin then opened the meeting for public comment. Vince Calvosa addressed the Board together with Daniel and Maureen Murphy with regard to the Lt. Michael Murphy Navy Seal Museum.

Mr. Halpin presented the minutes of the regular meeting of September 25, 2019 and of the special meeting of October 15, 2019, for approval. On motion made by Mr. Bishop, duly seconded by Ms. Mercado, and unanimously carried, the minutes of the regular meeting held on September 25, 2019, were approved.

On motion made by Ms. Devine, duly seconded by Mr. Mattera, and carried with one abstention by Ms. Mercado, the minutes of the special meeting held on October 15, 2019, were approved.

Mr. Szabo referred to a request to amend a resolution. After further explanation of details, and on motion made by Mr. Bishop, duly seconded by Mr. Mattera, and unanimously carried, it was

(304-10-2019) RESOLVED, To amend Resolution 179-06-2019 accepting Contract 7565 for replacement of concrete and bituminous patches, concrete curb and concrete sidewalk restoration on State, County, Town and Village highways during the one-year period beginning April 1, 2019, submitted by LLL Industries Inc. of Brookhaven, New York, totaling an increased estimate amount of Four Million Dollars (\$4,000,000), to reflect an additional increase to an estimated amount of Six Million One Hundred Thousand Dollars (\$6,100,000) per year for Group I.

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

(305-10-2019) RESOLVED, To extend for a one-year period beginning January 1, 2020, Contract 7503 for construction of asphalt driveway, paved yard areas and walkways (Eastern Zone) during the one-year period beginning January 1, 2020, with CAC Contracting Corp. of Mattituck, New York, in accordance with the specifications, terms and conditions of the contract.

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

(306-10-2019) RESOLVED, To extend for a one-year period beginning January 1, 2020, Contract 7568, for miscellaneous concrete construction work with Christy Concrete Corp.

of Huntington, New York, with D.F. Stone Contracting Ltd. of Medford, New York, in accordance with the specifications, terms and conditions of the contract.

On motion made by Mr. Mattera, duly seconded by Ms. Devine, and unanimously carried, it was

(307-10-2019) RESOLVED, To extend for a one-year period beginning January 1, 2020, Contract 7569 for furnishing and delivery of Laboratory sample vials and bottles with Quality Environmental Containers Inc. of Beaver, West Virginia, in accordance with the specifications, terms and conditions of the contract.

On motion made by Ms. Devine, duly seconded by Mr. Mattera, and unanimously carried, it was

(308-10-2019) RESOLVED, To extend for a one-year period beginning February 1, 2020, Contract 7575 for general construction of water mains, large services and appurtenances, Group 1 (South Shore and Eastern Suffolk) and Group II (North Shore and Western Suffolk) with Roadwork Construction Corp. of Hampton Bays, New York, (Group I – South Shore and Eastern Suffolk); with Bancker Construction Corp. of Islandia, New York (Group II – North Shore and Western Suffolk), in accordance with the specifications, terms and conditions of the contract.

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

(309-10-2019) RESOLVED, To extend for a one-year period beginning January 1, 2020, Contract 7600 for construction of asphalt driveways, paved yard areas and walkways (Western Zone) with Suffolk Asphalt Corp. of Medford, New York, in accordance with the specifications, terms and conditions of the contract.

Mr. Szabo then reviewed Contracts 7646, 7650, through 7654, and he recommended that these contracts be awarded/rescinded/rejected in accordance with the letters of recommendation.

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

(310-10-2019) RESOLVED, That the low bid received under Contract 7646 for snow removal services during the period November 1, 2019 through April 30, 2020, (Hauppauge Office) submitted by B&B Maintenance Inc. of Ronkonkoma, New York, in an estimated amount of Seven Thousand Two Hundred Nine Dollars (\$7,209) for the Hauppauge office, be and hereby is accepted; and be it

FURTHER RESOLVED, That the second low responsive and responsible bid received under Contract 7646, (Coram Office) submitted by CJL Landscape & Design of Ronkonkoma, New York, in an estimated amount of Twelve Thousand Nine Hundred Seventy-Five Dollars (\$12,975) be and hereby is accepted; and be it

FURTHER RESOLVED, That the second low responsive and responsible bid received under Contract 7646, (Huntington Office) submitted by DGB Landscaping Inc. of Huntington New York, in an estimated amount of Six Thousand Three Hundred Fifty Dollars (\$6,350) be and hereby is accepted; and be it

FURTHER RESOLVED, 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. Bishop, duly seconded by Mr. Mattera, and unanimously carried, it was

(311-10-2019) RESOLVED, To reject bid received under Contract 7650 for furnishing and delivery of automatic delayed transition transfer switches during the one-year period beginning December 1, 2019, submitted by Cooper Power Systems of Hauppauge, New York, as non-responsive, as it does not meet specifications; and be it

FURTHER RESOLVED, That the low responsive bid received under Contract 7650 for Items 1 through 7, submitted by Graybar Electric Co., Inc. of Teterboro, New Jersey, on a unit-price basis as stipulated in the bidder's proposal and calculated on estimated quantities indicated in the contract documents, totaling One Hundred Seven Thousand Six Hundred Sixteen and 12/100 Dollars (\$107,616.12), be and hereby is accepted; and be it

FURTHER RESOLVED, 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. Mattera duly seconded by Ms. Devine, and unanimously carried, it was

(312-10-2019) RESOLVED, To reject all bids received under Contract 7651, for repainting and repair work of Granular Activated Carbon (GAC) Systems at various Authority owned properties; this contract will be rebid.

On motion made by Ms. Devine, duly seconded by Mr. Mattera, and unanimously carried, it was

(313-10-2019) RESOLVED, To reject bid received for items 1, 2, 7 through 13, under Contract 7652 for miscellaneous minor construction and/or repairs at various structures during the one-year period beginning October 1, 2019, submitted by Caldara and Sons Contracting Inc. of Ronkonkoma, New York, as non-responsive, as it does not meet

specifications; and be it

FURTHER RESOLVED, That the low responsive bid received under Contract 7652 for Items 1 through 13, submitted by National Installation & GC Corp. of Hicksville, New York, on a unit-price basis as stipulated in the bidder's proposal and calculated on estimated quantities indicated in the contract documents, totaling One Hundred Sixty-One Thousand Six Hundred Fifty Dollars (\$161,650), be and hereby is accepted; and be it

FURTHER RESOLVED, 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. Mattera, duly seconded by Mr. Bishop, and unanimously carried, it was

(314-10-2019) RESOLVED, That the low bid received under Contract 7653 for maintenance and emergency service of uninterruptible power supply systems and battery systems during the two-year period beginning December 1, 2019, submitted by DC Group Inc. of Minneapolis, Minnesota, on a unit-price basis as stipulated in the bidder's proposal and calculated on estimated quantities indicated in the contract documents and totaling Twenty-Eight Thousand Two Hundred Dollars (\$28,200), be and hereby is accepted; and 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. Bishop, duly seconded by Ms. Mercado, and unanimously carried, it was

(315-10-2019) RESOLVED, To reject single bid received under Contract 7654 for furnishing and delivery of cement lined ductile iron pipe flanged, submitted by Ferguson Waterworks of Hauppauge, New York. Contract will be rebid.

Mr. Szabo referred to several requests regarding special service agreements. After further explanation of details on each, and on motion made by Mr. Bishop, duly seconded by Mr. Mattera, and unanimously carried, it was

(316-10-2019) RESOLVED, To accept proposal submitted in response to the Authority's Request for Proposals No. 1541 of Putney, Twombly, Hall and Hirson LLP of New York, New York, for the Authority's labor and employment counsel during the one-year period beginning November 1, 2019, with two one-year options to extend; and that any Member and/or the Chief Executive Officer be and hereby is authorized to execute this Agreement on behalf of the Authority.

On motion made by Ms. Devine, duly seconded by Mr. Mattera, and

unanimously carried, it was

(317-10-2019) RESOLVED, To accept proposal submitted in response to the Authority's Request for Proposals No. 1549 of Accusource Inc., of Corona, California, for the Authority's pre-employment screening services during the one-year period beginning January 1, 2020, with two one year options to extend; and that any Member and/or the Chief Executive Officer be and hereby is authorized to execute this Agreement on behalf of the Authority.

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

(318-10-2019) RESOLVED, To renew service agreement with ITRON which covers maintenance, repair, 24-Hour customer support, preventive maintenance, technical support, software releases and replacement of batteries, hand straps and antennas during the one-year period beginning January 1, 2020, with a 4.7% decrease from last year reflecting discontinued support of obsolete hardware, in the amount of Fifty-One Thousand Five Hundred Fifty-Four and 50/100 Dollars (\$51,554.50); and that any Member and/or the Chief Executive Officer be and hereby is authorized to execute this Agreement on behalf of the Authority.

The Members referred to a request regarding Rules and Regulations. After further explanation of details, and on motion made by Mr. Bishop, duly seconded by Mr. Mattera, and unanimously carried, it was

(319-10-2019) RESOLVED, To authorize an increase in Tapping Fees, effective January 1, 2020, as follows:

Service Size	Current Fee	Proposed Fee	% Increase
1"	\$3,000	\$3,200 (includes vault)	6.67%
1 ½"	\$4,700	\$4,700	0.00%
2"	\$6,200	\$6,200	0.00%
4"	\$15,200	\$15,300	0.66%
6"	\$15,500	\$15,600	0.65%
8"	\$16,600	\$16,700	0.60%
10"	\$16,800	\$17,400	3.57%
12"	\$16,800	\$17,400	3.57%

Customers have the ability to finance 50% of a tapping fee over a period of

two, five, or 10 years, depending on if a surcharge is incorporated.

On motion made by Mr. Mattera, duly seconded by Ms. Devine, and unanimously carried, it was

(320-10-2019) RESOLVED, To modify the fees for 1, 1 1/2" and 2" meter vaults in January 1, 2020 as follows:

Meter Vault	Current	Proposed	% Increase
1"	\$1,050	\$1,050	0.00%
1 1/2" (without labor)	\$1,000	\$1,000	0.00%
1 1/2" (with labor)	\$1,450	\$1,650	13.79%
2" (without labor)	\$1,460	\$1,460	0.00%
2" (with labor)	\$2,130	\$2,420	13.62%

On motion made by Mr. Mattera, duly seconded by Ms. Devine, and unanimously carried, it was

(321-10-2019) RESOLVED, To authorize a one-time 100% wasted water credit to certain customers on Fire Island.

The Members then reviewed a resolution to be included in applications to the New York State Department of Environmental Conservation. After much discussion, on motion made by Ms. Devine, duly seconded by Ms. Mercado, and unanimously carried, it was

(322-10-2019) RESOLVED, To construct Wells Nos. 1 and 2 at the Bull Path Well Field, 8.61-acre site located on the E/S/O Bull Path, 407.14' S/O Jason's Lane, Northwest, Town of East Hampton; to equip each well with one (1) electrically-driven, deep well turbine pump, motor; piping, electrical controls and miscellaneous appurtenances; and be it

FURTHER RESOLVED, That 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.

The Members reviewed a request regarding the Authorities Policies and Procedures. After further explanation of details, and on motion made by Ms. Devine, duly seconded by Mr. Mattera, and unanimously carried, it was

(323-10-2019) RESOLVED, To approve revisions and adopt Policy 112 - pursuant to attached outline.

Mr. Szabo referred to two requests regarding personnel matters. After further explanation of details on each, and on motion made by Mr. Mattera, duly seconded by Ms. Mercado, and carried with 4 votes, as Mr. Bishop was not present at this time, it was

(324-10-2019) RESOLVED, To renew the Authority's Flexible Spending Account (FSA) with Ameriflex of Mount Laurel, New Jersey, for a one-year period beginning January 1, 2020; and that any Member and/or the Chief Executive Officer be and hereby is authorized to execute this agreement on behalf of the Authority.

On motion made by Mr. Mattera, duly seconded by Ms. Devine, and carried with 4 votes, as Mr. Bishop was not present at this time, it was

(325-10-2019) RESOLVED, To accept the offer of Ameritas Life Insurance Corp. of New York of Bristol, Connecticut, as the Authority's dental insurance carrier for a two-year period beginning January 1, 2020; and that any Member and/or the Chief Executive Officer be and hereby is authorized to execute this agreement on behalf of the Authority.

Mr. Szabo reviewed several items relating to equipment. After further explanation of details, and on motion made by Ms. Devine, duly seconded by Mr. Mattera, and carried with 4 votes, as Mr. Bishop was not present at this time, it was

(326-10-2019) RESOLVED, To authorize the purchase of main circuit breakers for the Authority's Wheeler Road and Capitol Court facility, from Monarch Electric Co. of Fairfield, New Jersey, in the amount of Six Thousand Nine Hundred Three and 18/100 Dollars (\$6,903.18).

On motion made by Ms. Mercado, duly seconded by Mr. Mattera, and carried with 4 votes, as Mr. Bishop was not present at this time, it was

(327-10-2019) RESOLVED, To accept the quote received of WESCO of Hauppauge, New York, to furnish five (5) Solid State Soft Starter Panels at a cost of Twenty-One Thousand Nine Hundred Forty Dollars (\$21,940).

On motion made by Ms. Devine, duly seconded by Mr. Mattera, and carried with 4 votes, as Mr. Bishop was not present at this time, it was

(328-10-2019) RESOLVED, To enter into a maintenance agreement with Rimini Street of Las Vegas, Nevada, for a one-year period beginning January 1, 2020, in the total amount of Two Hundred Eighty-Two Thousand Seven Hundred Eight Dollars (\$282,708) (an increase of 5% over last year's annual fee).

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

(329-10-2019) RESOLVED, To authorize the purchase of dress shirts for management employees from Land's End Business Outfitters in the amount of Six Thousand Four Hundred Two and 02/100 Dollars (\$6,402.02).

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

(330-10-2019) RESOLVED, To authorize the rental of a small AOP reactor for on-site by-products formation and testing from Trojan Technologies, subject to the Authority's Legal Department's approval and revisions acceptable to both parties, for a one-year period in the amount of Seven Thousand Dollars (\$7,000).

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

(331-10-2019) RESOLVED, To authorize a small-scale on-site pilot for handling iron sludge removal by WaterSolve LLC of Caledonia, Michigan, in an amount not to exceed Seven Thousand Dollars (\$7,000), which includes the geotube, labor for 4 days, the polymer and associated pumping equipment.

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

(332-10-2019) RESOLVED, To authorize the purchase of analytical standards for the Laboratory, for a one-year period beginning November 1, 2019, from Cambridge Isotopes Laboratories of Andover, Massachusetts, for an amount not to exceed Seven Thousand Five Hundred Dollars (\$7,500); C/D/N Isotopes Inc. of Quebec, Canada, for an annual amount not to exceed Two Thousand Five Hundred Dollars (\$2,500); Cerilliant of Round Rock, Texas, for an annual amount not to exceed Seven Thousand Five Hundred Dollars (\$7,500); and Wellington Laboratories of Ontario, Canada, for an annual amount not to exceed Seven Thousand Five Hundred Dollars (\$7,500).

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

(333-10-2019) RESOLVED, To authorize the purchase of two TurboVap II Concentration Workstations from the sole source manufacturer and distributor, Biotage of Charlotte,

North Carolina, for the Authority's Laboratory, in the amount of Eighteen Thousand One Hundred Ten and 60/100 Dollars (\$18,110.60).

Mr. Szabo then reviewed a request regarding a conservation initiative. After further explanation of details, and on motion made by Ms. Devine, duly seconded by Mr. Mattera, and unanimously carried, it was

(334-10-2019) RESOLVED, To authorize expanding the list of credit eligible items to include smart valves which would be consistent with that of the smart irrigation system – a Fifty Dollar (\$50) account credit, not to exceed the purchase price of the item.

The Members reviewed a request regarding a Senate Bill before Governor Cuomo. After further explanation of details, and on motion made by Mr. Bishop, duly seconded by Ms. Mercado, the following Resolution was unanimously carried:

(335-10-2019) Whereas, Suffolk County Water Authority (SCWA) is a self-supporting, public benefit corporation operating under the authority of the Public Authorities Law of the State of New York, and

Whereas, SCWA's system contains more than 580 wells at 235 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, SCWA seeks to hold the parties legally responsible for contaminating Suffolk County's drinking water supply accountable for their actions, requiring SCWA to commence actions within a statutorily prescribed timeframe set forth in the New York Civil Practice Law and Rules (CPLR), and

Whereas, the current three-year statute of limitations under CPLR § 214-c makes it very difficult for public water suppliers to determine when they should commence an action for damage to its source of water supply, and

Whereas, as an example of the difficulty SCWA may encounter in attempting to hold legally responsible parties accountable, under the current law the statute limitations period can begin to run before contamination is even detected in a public supply well, and

Whereas, responsible parties have used the statute of limitations as a means of avoiding the consequences of their actions and to have drinking water contamination cases dismissed or spend litigating significant amounts of time and resources litigating the issue of whether the statute of limitations has expired, and

Whereas, State Senator James Gaughran and Assemblyman Fred Thiele identified this problem and recognized that absent a legislative remedy, water purveyors could be forced to pay hundreds millions of dollars over the next decade to remove contamination from drinking water supplies while the responsible party remains unaccountable for its actions, and

Whereas, Senator Gaughran and Assemblyman Thiele introduced S3337C and A05477C respectively to clarify when the three year period begins to run for public water suppliers, and

Whereas, S3337C and A05477C provides a clear standard for when the three year limitations period begins to run based upon drinking water standards, and

Whereas, S3337C and A05477C provides that a public water supplier must commence an action within three years of the first time a drinking water standard is exceeded, the last time a drinking water standard is exceeded or the last wrongful act of the polluter, whichever is latest, and

Whereas, S3337C and A05477C clarifies the three year statute of limitations for public water suppliers, helps ensure polluters are held responsible for their contamination of drinking water supplies, and potentially save taxpayers and state and local governments millions of dollars by forcing responsible parties to pay to remediate the damage they cause, and

Whereas, in May the Senate unanimously passed S3337C and in June the Assembly unanimously passed A05477C and on October 28, 2019, have been forwarded to Governor Andrew M. Cuomo for his consideration, and

Whereas, SCWA fully supports the legislative remedy provided by these two bills, the clarity they provide to drinking water suppliers in allowing water purveyors to hold responsible parties accountable for their actions in harming Suffolk drinking water supply, now therefore be it

RESOLVED, 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 Cuomo sign into law S3337C, and be it further

RESOLVED, the members direct SCWA's CEO transmit this Resolution of Support to Governor Cuomo.

At this time, No. 13 (Water Supply Systems) on the Agenda was moved to the Executive Session portion of the Agenda.

Mr. Szabo then reviewed two requests regarding meetings, training and conferences. After further explanation of details, and on motion made by Mr. Mattera, duly seconded by Ms. Devine, and unanimously carried, it was

(336-10-2019) RESOLVED, To authorize the attendance of Donna Mancuso, Chief Human Resources Officer, at the American Water Works Association (AWWA)/WEF Utility Management Conference 2020, in Anaheim, California, from February 25, 2020 through February 28, 2020, at an approximate cost of Two Thousand Five Hundred Dollars (\$2,500).

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

(337-10-2019) RESOLVED, To authorize the attendance of Scott Strom, Hydrogeologist, at the National Groundwater Association Groundwater Week, in Las Vegas, Nevada, from December 3, 2019 through December 5, 2019, at an approximate cost of One Thousand Five Hundred Dollars (\$1,500).

The Members reviewed the original invoices to be paid from the Operating Fund, and on motion made by Mr. Bishop, duly seconded by Mr. Mattera, and unanimously carried, it was

(338-10-2018) RESOLVED, That the following invoices be paid from the Operating Fund:

American Water Works Association (Membership Dues)	\$22,553.00
Association of Metropolitan Water Agencies (Membership Dues)	\$16,437.00
Dvirka & Bartilucci (tank engineers)	\$13,137.50
Goldberg Segalla	\$60.00
LaSalle, LaSalle & Dwyer PC	\$18,856.50
Milber Makris Plousadis & Seiden, LLP	\$2,448.30
O'Connor, O'Connor, Hintz & Deveney, LLP	\$2,045.00
Putney Twombly, Hall & Hirson LLP	\$11,901.58
Sarisohn Law Partners LLP	\$750.00

The Members scheduled their next regular meeting for Thursday, November 21, 2019, beginning at 3:00 p.m. at the Administration Building in Oakdale.

SEQRA REVIEW

Where applicable, the foregoing resolutions, unless otherwise noted, will not have a significant adverse impact on the environment within the meaning of Section 8-0109 of the Environmental Conservation Law.

At 3:23 p.m., on motion made by Ms. Devine, duly seconded by Mr. Mattera and unanimously carried, it was

(339-10-2019) RESOLVED, That the Members go into an Executive Session for the purpose of discussing water supply systems and patents.

The meeting was again called to order at 4:10 p.m.

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

(340-10-2019) RESOLVED, To authorize entering into a 40-year Operating Agreement with the Village of Dering Harbor on Shelter Island.

On motion made by Ms. Devine, duly seconded by Mr. Mattera and unanimously carried, it was

(341-10-2019) RESOLVED, To increase the salary of Tim Huss, Chief Enforcement Officer of the Central Pine Barrens, by Four Percent (4%), effective November 5, 2019.

As there was no further business to be considered, on motion made by Mr. Bishop, duly seconded by Mr. Mattera, the meeting was adjourned at 4:15 p.m.

Jane Devine, Secretary