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**WATER AUTHORITY OF NORTH SHORE**

**MINUTES OF BOARD MEETING HELD ON JULY 18, 2022**

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The meeting was held at the Gold Coast Library Annex located at 40 Railroad Avenue, Glen Head, NY 11545

Meeting was called to order at 7:05 PM.

- 1. CALL TO ORDER**
- 2. PLEDGE OF ALLEGIANCE:** All members and attendees joined in the pledge of allegiance.
- 3. ROLL CALL:** All six (6) appointed Board members were in attendance:

Richard Arena (Glenwood Landing Representative)

James Greenberg, Esq. (Glen Cove Representative)

Sandeep Kapoor, M.D., MS-HPPL (Roslyn harbor Representative)

George Pombar (Glen Head Representative)

John Vasilakis (Old Brookville Representative)

James W. Versocki, Esq. (sea Cliff Representative)

- 4. PRO TEM APPOINTMENTS:** The Board members agreed to appoint Member Versocki, representing the village of Sea Cliff, to preside as chairperson over the meeting and member Pombar, representing the hamlet of Glen Head, was appointed to act as the secretary for this meeting.
- 5. APPROVAL OF MINUTES:** A motion was made by Member Arena and seconded by Member Versocki, to approve the minutes of the June 29, 2022 meeting. The motion passed unanimously.
- 6. REPORT FROM COMMITTEES:**

**a. NEGOTIATIONS COMMITTEE**

- i. REPORT ON JOINT PROPOSAL PHASE 1 DISCUSSIONS WITH LIBERTY UTILITIES** - Member Versocki reported on correspondence exchanged with Liberty President, Chris Alerio, and a Non-Disclosure-Agreement expected to be received shortly from Liberty for our review prior to the start of formal discussions.
- ii. COMBINED REPORT WITH FINANCE/PERSONNEL COMMITTEES ON DISCUSSIONS WITH SUFFOLK COUNTY WATER AUTHORITY (SCWA)** -Member Pombar reported on the earlier "Plan B" proposal of contacting SCWA to determine if the SCWA can provide the Water Authority of North Shore with administrative assistance to move the negotiations, personnel, and financial process forward. As the Board had previously endorsed this concept at its June 29, 2022 meeting, Member Pombar reported he had contacted the CEO and Legal Counsel of the SCWA who had both responded positively to the idea of providing administrative support and he had arranged for a personal visit to the SCWA headquarters located in Oakdale for the following

week. The negotiations committee made up of members Greenberg, Versocki and Pombar, will be attending the meeting. The Board confirmed its support for the Negotiations committee to continue the process of discussing the SCWA providing administrative services to the WANS.

**b. FINANCE COMMITTEE**

- i. Committee Chair Vasilakis reported on the completion of the required filings with the New York State Authorities Budget Office. This included designating Authority Board members to act in various capacities on behalf of the Authority. Member Vasilakis reported Board member Arena was appointed as the temporary CEO for purposes of reporting to the ABO until a full-time officer of the Authority is assigned. Board member Arena commented this was a temporary assignment until a permanent appointment is concluded. The ABO has advised the Authority that no other filings are due at this time. At the request of Chair Vasilakis the Board approved the drafting of a letter, over Chair's Vasilakis signature, to the Secretary of State regarding obtaining funding to be received by the WANS under the legislation. Member Versocki agreed to draft the letter to the NY State Authority on the funding matter.

**c. PERSONNEL COMMITTEE**

1. Chair Pombar reported no activity on this committee at this point as the personnel support is one of the administrative assistance items to be discussed with the SCWA.

**d. HEALTH & SAFETY COMMITTEE**

1. Dr. Kapoor, Chair of the committee, reported no activity on this committee at this point.

**7. OLD BUSINESS**

- a. **WALDEN FEASIBILITY STUDY UPDATE** – Member Versocki provided a report on the negotiations between the Village of Sea Cliff and Walden. He reported little progress as Walden appears to be requesting an excessive fee to prepare an update to their 2019 feasibility study they prepared. Member Pombar suggested a) we move the request for the update to the existing feasibility study to the administrative services requested from the SCWA, and b) Member Pombar also requested that for the minutes we state that the WANS negotiating committee needs to participate in these discussions with Walden, rather than the village of Sea Cliff representatives. Board members Greenberg and Arena voiced their endorsement of these points to move the feasibility study process forward.
- b. **STATE FUNDING UPDATE** – Member Versocki reported progress is being made as the Board is in touch with the NY State Comptroller's Office, the Department of State, and local elected officials who are assisting the Authority to obtain the release of the funding allocated under the legislation creating the Authority.

- c. **AUTHORITY INSURANCE** - Member Versocki addressed this point and, as he stated at our previous meeting, he restated that Board members should be indemnified by the Authority under law for official acts taken on behalf of the Authority and will provide an update to the Board on that process. The Board agreed to add "Insurance" as a recurring agenda item for the Authority.
- d. **PUBLIC SERVICE COMMISSION CASES** – Member Versocki requested approval for the Authority to approach the Public Service Commission to be added to the distribution list of ongoing updates to the cases agreed and approved at the end of 2021 in relation to the sale of NY American Water Co. to Liberty Utilities. Members Arena, Greenberg and Pombar endorsed the request so the Authority be kept up-to-date with any developments related to the purchase, and the possible request for rate increases by Liberty. The request by Member Versocki was approved by all Board members. He will draft a letter on this request.

## **8. NEW BUSINESS**

- a. Resolution 2022-3: Member Versocki presented a proposal to designate the Herald Gazette as the official newspaper of the Water Authority of North Shore. Member Greenberg inquired about the newspaper coverage in Glen Cove. The newspaper representative, attending the meeting, stated the Herald Gazette does have coverage in Glen Cove through a separate village edition. It was agreed the wording of the acceptance of the newspaper as the official Authority newspaper would be amended to reflect the comments brought up by Member Greenberg. A motion was made seconded and approved designating the Herald Gazette as the official newspaper of the Water Authority of North Shore.
- b. Resolution 2022-4: Member Versocki presented a resolution that the Water Authority of North Shore adopt an Indemnification policy, presented at the meeting. A motion was made by Member Versocki, seconded by Member Pombar, and unanimously passed adopting the Indemnification Policy.
- c. A motion was made by Member Pombar to designate Member Arena as a temporary CEO and Member Vasilakis as reporting individual for purpose of filings with the Authorities Budget Office of the New York Comptrollers' Office, effective July 1, 2022. The motion was seconded by Member Kapoor, and unanimously passed.
- d. A motion was made by Member Versocki, and seconded by Member Pombar to Authorize the Finance and Negotiation Committees to continue discussions with the Suffolk County Water Authority for Administrative Support Services for the Water Authority of North Shore (WANS). The motion passed unanimously.

## **9. COMMUNICATIONS**

- a. Member Versocki reported on a communication received from the Authorities Budget Office, which was subsequently replied to by the Finance Committee as reported by its Chair, Member Vasilakis.

- b. Member Versocki also reported the receipt of an email reply from Liberty Utilities CEO, acknowledging our introduction and stating, as expected by our Board, that Liberty will be providing us with a Non-Disclosure Agreement for our review and input.

## **10. PUBLIC COMMENTS**

Mr. Joseph Occossi, a Glen Head resident, discussed his concerns on any transfer of taxes, when an agreement is achieved to transfer the assets from Liberty to WANS, that his taxes as a retired community member would affect him. He expressed his concern on behalf of the community. Members Pombar and Versocki replied to Mr. Occossi that the Board is aware of his concern and that of the community on this subject, and the Board will address such concern as the planning of any takeover of water services move forward.

Mr. Joseph Lopes, a resident of Glen Head, stated that the Board should consider approaching Jericho Water Authority as a possible municipality to provide water services once the WANS objective moves near conclusion. He also stated there are also approximately four (4) other local municipalities that can be approached as service providers. He also stated there are funds available from the State that are offered for services consolidation. Member Pombar stated this suggestion will definitely be one that at the right time – a later phase of the plan discussions – will be considered and addressed. Mr. Lopes also stated an expert on the subject of negotiations of water company takeovers was available to assist voluntarily in consulting with the Board. Board members thanked Mr. Lopes and state the offer will be considered.

Ms. Agatha Nadel, a resident of Glen Head, thanked the Board for moving ahead approaching Suffolk County Water Authority with a request for Administrative Services that would move the process along hopefully more effectively and faster. Ms. Nadel also stated there are State Grants available, that will need to be explored, specifically for the cost of fire hydrants, where North Shore residents pay a higher than usual cost to Liberty. Ms. Nadel also stated she will be providing the Board with the name and contact of an expert on the subject of funding to cover fire hydrant expenses. The Board thanked M. Nadel and asked her to provide the information to the Board.

Mr. Lloyd Nadel, requested an update on the \$1 million grant assigned to WANS for achieving the task of taking over water services from Liberty Utilities. Member Pombar stated the Board is actively working in obtaining the funds from the State Authority and progress is being reported at every meeting.

Mr. Kevin Martens, a resident of Glen Head, inquired about the establishment of a timetable for the project. Member Pombar stated there is a timetable in place and provided Mr. Martens with a copy.

**11. NEXT MEETING DATE:** The Board agreed to hold the next meeting on Tuesday August 2, 2022, at the Gold Coast Library Annex, 40 Railroad Avenue, Glen Head, NY 11545 at 7:30 PM.

**12. MOTION TO ADJOURN** – On a motion by Member Arena and seconded by Member Greenberg, the meeting was adjourned at 8 PM.

I hereby certify that the foregoing is a true and accurate copy of the minutes of the meeting of the Board of the Water Authority of Shore held on July 18, 2022.

Respectfully submitted,

George P. Pombar, Secretary Pro Tem

