

REGULAR MEETING
WATER AUTHORITY OF NORTH SHORE

October 25, 2022

Meeting Held at Gold Coast Library Annex, 40 Railroad Avenue,
Glen Head, New York

Present: George Pombar, Member
James Versocki, Esq. Member
Richard Arena, Member
John Vasilakis, Member
Sandeep Kapoor, M.D., MS-HPPL, Member
James Greenberg, Esq., Member

The meeting was also attended by Counsels T. Hopkins and J. Milazzo and by Mr. Szabo, SCWA CEO.

J. Lopes, A. Nadel, L. Nadel, S. Carey, Colin Bell, J. Capozzi and A. Mitzner were also in attendance.

Packets containing detailed information for all Agenda items were distributed to each Member and Counsel to the Authority.

At approximately 7:00 p.m. Mr. Versocki, serving as Chair of the meeting, called the meeting to order.

Mr. Versocki then presented the minutes of the regular meeting of September 28, 2022, and it was noted that the minutes should be amended to correct the spelling of the name of one of the attendees of the September meeting. On motion made by Mr. Pombar, duly seconded by Mr. Greenberg, and unanimously carried, the minutes of the regular meeting held on September 28, 2022 were approved as amended.

Mr. Versocki then called for several of the agenda items to be considered by resolution. It was noted that the section regarding the appointment of Authority officers would be taken up in executive session. Mr. Versocki then presented items regarding Authority

committees.

On motion made by Mr. Versocki, duly seconded by Mr. Vasilakis and unanimously carried, it was

(18-10-2022) RESOLVED, To appoint Mr. Pombar, Mr. Arena and Mr. Vasilakis as members of the Audit Committee.

On motion made by Mr. Versocki, duly seconded by Dr. Kapoor and unanimously carried, it was

(19-10-2022) RESOLVED, To appoint Mr. Pombar, Mr. Versocki and Mr. Greenberg as members of the Governance Committee.

Mr. Versocki then addressed items under Authority bylaws. It was noted that the proposed Authority bylaws should be amended to include a new Section 4 of Article IV indicating that the Authority has the power to create and add new committees for the management and regulation of its affairs. On motion made by Mr. Versocki, duly seconded by Mr. Pombar and unanimously carried, it was

(20-10-2022) RESOLVED, To adopt the Bylaws of the Water Authority of North Shore, as amended.

Mr. Versocki then addressed items under Code of Ethics. He noted that Section 3.3 of the proposed Authority Code of Ethics should be stricken and the phrase, "intentionally blank," should appear in its place. On motion made by Mr. Versocki, duly seconded by Mr. Arena and unanimously carried, it was

(21-10-2022) RESOLVED, To adopt the Water Authority of North Shore Code of Ethics, as amended.

Mr. Versocki then addressed items under Videoconferencing. On motion made by Mr. Versocki, duly seconded by Mr. Greenberg and unanimously carried, it was

(22-10-2022) RESOLVED, To set a hearing date of November 29, 2022 to consider the use of videoconferencing for Authority board meetings and committee meetings in accordance with Chapter 56 of the Laws of 2022.

Mr. Versocki then addressed items under website and email addresses. On

motion made by Mr. Versocki, duly seconded by Mr. Pombar and unanimously carried, it was

(23-10-2022) RESOLVED, To authorize the use of Go Daddy as the service provider for the Authority website and email addresses in an amount not to exceed \$1,000 per year.

Mr. Versocki then addressed items under financial institution and Authority appropriation. On motion made by Mr. Versocki, duly seconded by Dr. Kapoor and unanimously carried, it was

(24-10-2022) RESOLVED, To add First National Bank of Long Island as a depository for Authority funds, and

(25-10-2022) RESOLVED, To open an operating account at First National Bank of Long Island, and

(26-10-2022) RESOLVED, To authorize the signers for the account, John Vasilakis, Board Member, Richard Arena, Board Member, Elizabeth Vassallo, Suffolk County Water Authority Chief Financial Officer, Christopher Cecchetto, Suffolk County Water Authority Deputy Chief Financial Officer, and Stephanie Hannan, Suffolk County Water Authority Manager of Accounting, to make withdrawals, checks and debits in general.

On motion made by Mr. Versocki, duly seconded by Dr. Kapoor and unanimously carried, it was

(27-10-2022) RESOLVED, To adopt the Investment Policy for the Water Authority of North Shore.

On motion made by Mr. Versocki, duly seconded by Mr. Vasilakis and unanimously carried, it was

(28-10-2022) RESOLVED, To establish a policy that the expenditure of funds of the Authority shall only be upon the approval of a majority of the vote of the Authority Board at an Authority meeting.

Mr. Hopkins then indicated that a meeting has been set for Wednesday, November 2, 2022, with New York State Senate Finance Committee counsel to discuss the Authority's New York State appropriation. Mr. Hopkins also noted that P.O. Box 537, Glen Head, New York 11545 has been established as the official Authority mailing address. Mail sent to the P.O. Box will be forwarded to the Suffolk County Water Authority.

Mr. Versocki then addressed items under Authority insurance. On motion made by Mr. Versocki, duly seconded by Mr. Arena and unanimously carried, it was

(29-10-2022) RESOLVED, To purchase \$1 million of Directors and Officers Liability Insurance from AIG with a retention of \$25,000 for a policy premium of \$5,020.00 and any Authority

Member or Attorney may complete the application for coverage.

Mr. Hopkins indicated that the Suffolk County Water Authority Risk Management Department is also seeking quotes for a Business Owners Policy (BOP) on behalf of the Authority.

Mr. Versocki then addressed items under Authority seal and logo. On motion made by Mr. Pombar, duly seconded by Mr. Greenberg and unanimously carried, it was

(30-10-2022) RESOLVED, To adopt the Authority logo, a copy of which is attached to these minutes.

Mr. Versocki then addressed items under Public Service Commission (PSC) timeline. It was noted that the Authority is behind schedule with respect to the timeline set forth in the PSC's Order Adopting Terms of Joint Proposal, Approving Stock Purchase Agreement and Long-Term Indebtedness, with Additional Requirements of the New York State PSC dated December 16, 2021. However, the timeline indicates in footnote 24 that upon mutual agreement, NYAW, Liberty Eastern, and the Municipalities may modify this schedule as necessary and agreed. Mr. Pombar noted that in light of the cooperative agreement with the Suffolk County Water Authority and the resolutions of the Authority over the last two Authority Board meetings there is a solid foundation for the Authority to move forward with the acquisition process.

Mr. Versocki then noted that a discussion regarding the Liberty non-disclosure agreement would be taken up in executive session as the same involves attorney-client communications.

Mr. Versocki then addressed the items under RFP for expert appraiser services. On motion made by Mr. Versocki, duly seconded by Mr. Greenberg and unanimously carried, it was

(31-10-2022) RESOLVED, To authorize Authority staff to prepare a Request For Proposals to obtain expert real property appraisal services on behalf of the Authority.

Mr. Versocki then noted that the next Authority Board meeting has already been scheduled for Tuesday, November 29, 2022 at 7:00 p.m., and he asked if there was any new business or public comment.

J. Capozzi asked about the cooperative agreement between the Authority and the SCWA. He asked whether the SCWA had an appropriate COVID policy and whether the Authority would incur any liability under the SCWA's workers compensation obligations. Mr. Hopkins indicated that the SCWA has an appropriate COVID policy and that no liability would attach to the Authority under the cooperative agreement as the SCWA has workers compensation insurance and the coverage was included in the cooperative agreement with no additional cost to the Authority.

J. Lopes commented about grant funding for the Walden feasibility study commissioned by the Village of Sea Cliff and whether any of such funding would be available to

the Authority.

C. Bell, a representative from the Town of Oyster Bay, indicated that since the grant was for the Village of Sea Cliff, the Village would have to seek an extension of the grant. Since it was a reimbursement grant, it was unlikely that the Village would seek an extension now that the Authority was up and running.

S. Carey indicated that he is working on behalf of the Massapequa Water District seeking to acquire a portion of the Liberty water system that is contiguous with the Massapequa Water District's service territory. He indicated that the District's expert valuation was submitted to Liberty and that Liberty appeared open, forthcoming and cooperative to date.

Following public comments, on motion made by Mr. Pombar, duly seconded by Dr. Kapoor and unanimously carried, it was decided to go into Executive Session to discuss the potential acquisition of property, appointment of officers, and litigation. Subsequently, on motion made by Mr. Versocki, duly seconded by Mr. Greenberg and unanimously carried, it was decided to come out of Executive Session.

On motion made by Mr. Versocki, duly seconded by Mr. Greenberg and unanimously carried, it was resolved to adjourn the meeting.

, Secretary Pro Tem