

**TOWN OF NORTH HEMPSTEAD  
SOLID WASTE MANAGEMENT AUTHORITY  
AGENDA**



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**September 13, 2016**

**7:30 PM**

**RESOLUTIONS:**

1. A RESOLUTION AUTHORIZING THE EXECUTION OF AN AMENDMENT TO AN AGREEMENT WITH WEHRAN LFG SERVICES LLC FOR NON-ROUTINE LANDFILL GAS SYSTEM SERVICES.
2. A RESOLUTION RATIFYING THE EXECUTION OF AN AGREEMENT WITH NATIONAL WATER MAIN CLEAN CO. INC. FOR REPAIRS TO THE GROUNDWATER TREATMENT SYSTEM OPERATED BY THE AUTHORITY.
3. A RESOLUTION AMENDING THE AUTHORITY'S PROCUREMENT POLICY.
4. A RESOLUTION AUTHORIZING THE EMPLOYMENT, APPOINTMENT, TRANSFER, ADJUSTMENT, CORRECTION, CHANGE IN GRADE OR SALARY AND/OR TERMINATION OF EMPLOYEES AND/OR OFFICIALS WITHIN THE AUTHORITY.

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**PROPOSED RESOLUTION**

**\*\*\*\*offered the following resolution and moved its adoption, which resolution was declared adopted after a poll of the members of this Board:**

**RESOLUTION NO. s35 -2016**

**A RESOLUTION AUTHORIZING THE EXECUTION OF AN AMENDMENT TO AN AGREEMENT WITH WEHRAN LFG SERVICES LLC FOR NON-ROUTINE LANDFILL GAS SYSTEM SERVICES.**

**WHEREAS**, pursuant to resolutions duly adopted by the Board of the Town of North Hempstead Solid Waste Management Authority (the “Authority”), the Authority entered into an agreement, as amended, with Wehran LFG Services, LLC., 350 Ramapo Valley Road, Suite 18-107, Oakland, New Jersey 07436 (the “Contractor”), for non-routine maintenance and repair services for the Authority’s landfill gas system services at its L4 and L5 landfills ending September 30, 2016 (the “Original Agreement”); and

**WHEREAS**, the Executive Director of the Authority (the “Executive Director”) has recommended that the Board of the Authority authorize an amendment to the Original Agreement to extend the term of the Original Agreement to December 31, 2016 (the “Amendment”); and

**WHEREAS**, the Board finds it in the best interests of the Authority to authorize the Amendment.

**NOW, THEREFORE, BE IT**

**RESOLVED** the Chair of the Authority is authorized and directed to execute, on behalf of the Authority, the Amendment, all as more particularly set forth in a copy of the Amendment, which shall be on file in the Office of the Town Clerk; and be it further

**RESOLVED** that the Office of the Town Attorney, as counsel to the Authority, be and hereby is authorized and directed to negotiate and supervise the execution of the Amendment; and be it further

**RESOLVED** that the Assistant Treasurer be and hereby is authorized and directed to pay the costs of the Amendment upon receipt of duly executed Amendment and certified claims therefor.

**Dated:** Manhasset, New York

September 13, 2016

The vote on the foregoing resolution was recorded as follows:

Ayes: Chairwoman Bosworth, Member Russell, Member Kaplan, Member Seeman,

Member De Giorgio, Member Ferrara, Member Zuckerman

Nays: None

cc: Town Attorney    Comptroller    SWMA

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**PROPOSED RESOLUTION**

**\*\*\*\*offered the following resolution and moved its adoption, which resolution was declared adopted after a poll of the members of this Board:**

**RESOLUTION NO. s36 -2016**

**A RESOLUTION RATIFYING THE EXECUTION OF AN AGREEMENT WITH NATIONAL WATER MAIN CLEAN CO. INC. FOR REPAIRS TO THE GROUNDWATER TREATMENT SYSTEM OPERATED BY THE AUTHORITY.**

**WHEREAS**, the Town of North Hempstead Solid Waste Management Authority (the “Authority”) required repairs to the wastewater treatment system operated by the Authority and located at Harbor Links Golf Course (the “Services”); and

**WHEREAS**, repairs were necessary as clogs in the delivery lines were causing pumps in the system to fail, resulting in a reduced volume of wastewater being treated; and

**WHEREAS**, the Authority attempted to obtain three (3) quotes for the Services in accordance with the Authority’s procurement policy; and

**WHEREAS**, after diligent efforts by Authority personnel, the Authority was only able to receive two (2) quotes; and

**WHEREAS**, in addition to the unavailability of vendors to provide quotes to the Authority, the Services require specific equipment which is not available to one of the vendors that did provide a quote; and

**WHEREAS**, in addition to other justifications, the Authority’s procurement policy states that competition may be waived by the Board of the Authority in the event that (1) a condition exists that makes it impractical or not in the Authority’s best interest to seek competition due to the specialized nature of the goods or services required and (2) there is a requirement for which, in the sole opinion of the Authority, there is a lack of responsible competition to perform the desired services; and\

**WHEREAS**, the Executive Director of the Authority has informed the Board that there is a dearth of firms that can provide the Services as the obstruction is most likely several hundred feet down the affected pipe and most firms lack the equipment to handle this kind of work, as evidenced by the fact that Authority could only locate one company with the appropriate equipment; and

**WHEREAS**, in order to expeditiously repair the system and return the system to working order, the Authority retained National Water Main Cleaning Co., Inc. (the “Contractor”) to perform the Services at the following rates:

1. Mobilization/Demobilization: \$750.00/Call Out

- 2. Combination Vactor Jet Rodder (Jet Vac)  
CCTV/Rover System with  
3 Man Crew (Straight Time): \$625.00/Crew Hour
- 3. Combination Vactor Jet Rodder (Jet Vac)  
CCTV/Rover System with  
3 Man Crew (OT/Weekends): \$825.00/Crew Hour
- 4. Disposal of sewer/drain sediment (non-hazardous): \$175.00/Ton

(the “Agreement”); and

**WHEREAS**, based on the reasons set forth above, The Executive Director has requested that this Board waive competition in accordance with the Authority’s procurement policy and ratify the selection of the Contractor and the execution of the Agreement; and

**WHEREAS**, this Board finds it to be in the best interest of the Authority to waive competition in accordance with the Authority’s procurement policy and ratify the selection of the Contractor and the execution of the Agreement.

**NOW, THEREFORE, BE IT**

**RESOLVED** that, solely for the Services, competition be and hereby is waived for the reasons set forth above; and be it further

**RESOLVED** that the actions of the Authority in retaining the Contractor to perform the Services and executing the Agreement be and hereby are ratified and approved; and be it further

**RESOLVED** that the Assistant Treasurer be and hereby is authorized and directed to pay the costs of the Agreement upon receipt of duly executed Agreement and certified claims therefor.

**Dated:** Manhasset, New York

September 13, 2016

The vote on the foregoing resolution was recorded as follows:

Ayes: Chairwoman Bosworth, Member Russell, Member Kaplan, Member Seeman,  
Member De Giorgio, Member Ferrara, Member Zuckerman

Nays: None

cc: Town Attorney            Comptroller            SWMA

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**PROPOSED RESOLUTION**

**\*\*\*\*offered the following resolution and moved its adoption, which resolution was declared adopted after a poll of the members of this Board:**

**RESOLUTION NO. s37 -2016**

**A RESOLUTION AMENDING THE AUTHORITY'S PROCUREMENT POLICY.**

**WHEREAS**, the Town of North Hempstead Solid Waste Management Authority (the "Authority") has in effect a procurement policy, last adopted by the Board of the Authority on June 23, 2013 (the "Policy"); and

**WHEREAS**, the Policy allows the Authority to make purchases off of contracts let by the Town of North Hempstead, the County of Nassau and the State of New York; and

**WHEREAS**, Section 103(16) of the New York General Municipal Law, to which the Authority is not subject, permits municipalities to make purchases off of contracts let by the United States, any state and any municipality or district of any state so long as the contract was let to the lowest responsible bidder and the contract is made open to other governmental units; and

**WHEREAS**, in order to help streamline the procurement efforts of the Authority, Counsel to the Authority has requested that the Policy be amended to grant substantially the same powers to the Authority as are contained in Section 103(16) of the New York General Municipal Law, except that any government contract that the Authority desires to purchase off of need not be made open to other governmental units; and

**WHEREAS**, this Board finds it to be in the best interest of the Authority to amend the Policy as described above.

**NOW, THEREFORE, BE IT**

**RESOLVED** that the Policy be and hereby is amended to rename the section entitled "Purchases Through Town, County or State" to read "Purchases Through Other Government Contracts" and to amend the section to read as follows in its entirety: "Notwithstanding the provisions of this Policy, the Authority is authorized to make purchases of apparatus, materials, equipment or supplies, or contract for services related to the installation, maintenance or repair of apparatus, materials, equipment, and supplies, when available, utilizing any contract let by the United States of America or any agency thereof, any state or any other political subdivision or district therein (a "Government Contract") if such Government Contract was let to the lowest responsible bidder. The sole exception is in the instance where bids have already been received by the Authority for the purchase by the Authority of the apparatus, material, equipment or supplies, or for the installation, maintenance or repair of apparatus, materials, equipment, and supplies and such purchase cannot be made upon the same terms, conditions and specifications and at a lower price through the Government Contract. When there are multiple local vendors for the same product at the

same price under the Government Contract, it is Authority policy to distribute purchases among all of these vendors and thereby equitably distribute business opportunities to as many vendors as practical.”  
; and be it further

**RESOLVED** that the amendments authorized by this Resolution shall take effect immediately.

**Dated:** Manhasset, New York

September 13, 2016

The vote on the foregoing resolution was recorded as follows:

Ayes: Chairwoman Bosworth, Member Russell, Member Kaplan, Member Seeman,  
Member De Giorgio, Member Ferrara, Member Zuckerman

Nays: None

cc: Town Attorney          Comptroller          SWMA

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**PROPOSED RESOLUTION**

**\*\*\*offered the following resolution and moved its-adoption, which resolution was declared adopted after a poll of the members of this Board:**

**RESOLUTION s38 -2016**

**A RESOLUTION AUTHORIZING THE EMPLOYMENT, APPOINTMENT, TRANSFER, ADJUSTMENT, CORRECTION, CHANGE IN GRADE OR SALARY AND/OR TERMINATION OF EMPLOYEES AND/OR OFFICIALS WITHIN THE AUTHORITY.**

**WHEREAS**, the approval of the members of the Town of North Hempstead Solid Waste Management Authority (the "Authority") has been requested for the employment, appointment, transfer, adjustment, correction, change in grade or salary and/or termination of certain employees and/or officials.

**NOW, THEREFORE, BE IT**

**RESOLVED** that the following employment, appointment, transfer, adjustment, corrections, changes in grade or salary, and/or terminations are hereby adopted and approved:

**SEE EXHIBIT A ATTACHED**

;and be it further

**RESOLVED** that the above listed employments, appointments, transfers, adjustments, corrections, and/or changes in grade or salary are hereby appointed to the respective positions at a rate of compensation shown next to their names; and be it further

**RESOLVED** that the appointments and employments are subject to the satisfactory completion of a physical examination by a physician; and be it further

**RESOLVED** that the term of appointment and employment of any person to an exempt position shall be at the pleasure of the Board; and be it further

**RESOLVED** that the effective date of the foregoing employments, appointments, transfers, adjustments, corrections, and/or changes in grade or salary of said individuals, employees and/or officials of the Authority shall be that date certified by the Secretary of the Authority; and be it further

**RESOLVED** that the foregoing appointments, employments and terminations are subject to the rules and regulations of the Nassau County Civil Service Commission and New York State Civil Service Law.

**Dated:** Manhasset, New York

September 13, 2016

The vote on the foregoing resolution was recorded as follows:

Ayes: Chairwoman Bosworth, Member Russell, Member Kaplan, Member Seeman,  
Member De Giorgio, Member Ferrara, Member Zuckerman

Nays: None

cc: Counsel to SWMA, Assistant Treasurer, SWMA



## HUMAN RESOURCES DEPARTMENT

Please prepare a resolution effectuating the following appointments and/or changes for the 09/13/16 Town Board Meeting

From: Bob Weitzner-Commissioner of Human Resources                      To: Supervisor Judi Bosworth

ALL APPOINTMENTS PENDING COMPLETION OF PAPERWORK & CIVIL SERVICE APPROVAL. ALL CHANGES WILL TAKE PLACE NO EARLIER THAN THE PAY PERIOD BEGINNING 09/17/16.

UNLESS OTHERWISE NOTED. **ALL SEASONAL EMPLOYMENT COMMENCES 05/01/2016 AND ENDS 09/30/2016.**

| Type                        | Fr/To | Department # | Department Name | Budget Code      | Employee Name | FT / PT /<br>Seasonal | Employee Title              | Employee Rate                 | Grade/Step | Effective Date |
|-----------------------------|-------|--------------|-----------------|------------------|---------------|-----------------------|-----------------------------|-------------------------------|------------|----------------|
| F/T Step & Salary<br>Change | From  | 104000       | SWMA            | CL.08.8161.41000 | Joanne Kenney | F/T                   | Secy. To Executive Director | \$53,006.00ann/\$2030.88bi/wk | 11/8.0     |                |
|                             | To    |              |                 |                  |               |                       |                             | \$54,413.00ann/\$2084.79bi/wk | 11/9.5     | 9/13/2016      |
|                             | From  |              |                 |                  |               |                       |                             |                               |            |                |
|                             | To    |              |                 |                  |               |                       |                             |                               |            |                |
|                             | From  |              |                 |                  |               |                       |                             |                               |            |                |
|                             | To    |              |                 |                  |               |                       |                             |                               |            |                |
|                             | From  |              |                 |                  |               |                       |                             |                               |            |                |
|                             | To    |              |                 |                  |               |                       |                             |                               |            |                |
|                             | From  |              |                 |                  |               |                       |                             |                               |            |                |
|                             | To    |              |                 |                  |               |                       |                             |                               |            |                |
|                             | From  |              |                 |                  |               |                       |                             |                               |            |                |
|                             | To    |              |                 |                  |               |                       |                             |                               |            |                |
|                             | From  |              |                 |                  |               |                       |                             |                               |            |                |
|                             | To    |              |                 |                  |               |                       |                             |                               |            |                |
|                             | From  |              |                 |                  |               |                       |                             |                               |            |                |
|                             | To    |              |                 |                  |               |                       |                             |                               |            |                |
|                             | From  |              |                 |                  |               |                       |                             |                               |            |                |
|                             | To    |              |                 |                  |               |                       |                             |                               |            |                |