

Regular meeting of the Board of Commissioners of the Plainview Water District was held in the District office on Tuesday, November 22, 2016.

Present: Joel R. Kessler, Chairman  
Andrew N. Bader, Treasurer  
Marc B. Laykind, Secretary  
Richard W. Tobin, Superintendent  
Michael Ingham, Attorney  
James Neri, Engineer

The meeting was called to order at 5:30 pm.

Commissioner Laykind opened the meeting with the Pledge of Allegiance.

Correspondence and lab data were reviewed in the Board update.

The Board approved and signed payroll checks.

**Opening Statement by Commissioner Laykind:**

Commissioner Laykind, as he's been doing over the last couple of weeks, gave an update on the progress of the pinhole pilot project. We received about 537 surveys not counting today and I think there has been 16 physical inspections and varying degrees of data which I am not going to get into in great detail right now as I haven't had a chance to consult with our engineering firm today, but I do know that they are not going to make any determinations until there is a larger sample. There has been a very large percentage of stray current on the inspections that were performed. Whether or not that is a contributing factor is yet to be determined but the project is moving along. So consistent with what we have been doing over the last couple of weeks, we are going to maintain the same format where we will continue to have the section devoted to public comment and anyone who wishes to speak please sign in. We are going to ask that we limit the comments to approximately three minutes. It has been brought to the Board's attention by counsel and a couple of comments that came in from the outside that some of the statements have been considered campaign statements rather than statements for any other purpose so we are going to ask that please be avoided and I think counsel is going to cut anyone off if he feels it is electioneering. With that being said I will turn the meeting back over to the Chairman.

**MICHAEL INGHAM'S REPORT – ATTORNEY:**

Attorney Ingham reported that he received a request from Notaro Grupp & Associates for a disconnect at the fuel oil terminal located on the LIE by the Holiday Inn. His client is basically going to develop a self-storage facility which is permitted by zoning. Attorney Ingham reported that the owner must apply for a disconnect and for a certificate of water availability. That information is on the District's website.

Attorney Ingham reported that he and Engineer Neri will report on the progress at Country Pointe. The County signed off on the plans for Phase I which is the transmission main relocation. Engineer Neri requested to set bid dates. Advertisement date to be set at December 9, 2016 and have the contractors return bids in approximately two weeks. Engineer Neri asked if there are any targeted board meeting dates for December so we can coordinate return of bids. Country Pointe has put together a phasing sequence for Phase II which was received yesterday. Attorney Ingham will finalize the Phase II agreement with Mr. Pizulli making sure that Engineer Neri has a full look at that first and run it past the Board. It looks like Country Pointe is going to hold off with the senior citizens complex for a little while but that would need a small piece of water main. Engineer Neri will engineer the entire process now but they are not ready to finalize that section which is a relatively small section of the project.

Attorney Ingham updated the Board as it relates to the Water Commissioner election. Attorney Ingham reported that he believes the Clerk to the Board sent up the ballot to the printer. The printer will send a sample ballot to the County for testing and when approved by the County ballots can be ordered.

#### **JAMES NERI'S REPORT – ENGINEER:**

Engineer Neri, as it relates to the Phase I transmission main relocation at Country Pointe, requested a bid date of December 9, 2016 with bids to be received on December 27, 2016. Board approval requested.

Motion made by Commissioner Kessler, seconded by Commissioner Bader, the below stated resolution was adopted unanimously:

RESOLVED, that the Board of Commissioners approves the bid date of December 9, 2016 with bids to be received on December 27, 2016 as it relates to Phase I transmission main relocation at Country Pointe.

Engineer Neri reported that maintenance contracts were prepared for the District's on-call services. The contracts were reviewed by Supt. Tobin who requested a few minor changes that will be incorporated into the contracts. It is requested that a bid advertisement date of December 2, 2016 with bids to be received on December 13, 2016 be approved by the Board.

Motion made by Commissioner Kessler, seconded by Commissioner Bader, the below stated resolution was adopted unanimously:

RESOLVED, that the Board of Commissioners approves the bid date of December 2, 2016 with bids to be received on December 13, 2016 as it relates to the District's maintenance contracts.

Engineer Neri provided an update as it relates to the pinhole pilot project. Engineer Neri reported that he reviewed the GIS entry data. There have been a number of locations that indicated stray current. There was a question posed that if anyone was to call PSE&G what items they may want to request. We have some available documents if anyone is interested. Engineer Neri wanted to reiterate to the Board that right now we are not in a position to say that the stray current is causal. If we know there is stray current we should advise the homeowner in order that they may contact PSE&G.

Engineer Neri reported that he met with a news reporter at his office yesterday to discuss the process the District is going to take with the home inspections. Engineer Neri indicated that she was interested to know what the District was looking at and what the potential impacts could be. Obviously, she was curious if we came to any conclusions and as mentioned with the sample size we have right now I don't think there are any glaring observations that we can make.

Engineer Neri reported that a few months ago H2M provided a memo to the District re cyber security updates as part of the vulnerability assessment. Right now, the Governor didn't sign that law into effect so there is no deadline of December 31<sup>st</sup>. There is no requirement for the District to respond to that. The vulnerability assessment and emergency response plan is due in 2017 so when that comes into play our office will provide a proposal to the Board to update that document. We will include a scope at that point.

Engineer Neri reported that H2M is in the process of putting a letter together on behalf of several other Districts as to the slow responsiveness of the lab. Engineer Neri offered to include the District or advised that they could independently send a similar letter. The question arises is that in 2017 is the lab going in a different direction. What Engineer Neri has heard is that they switched over to a new computer system and are now slow to get out the responses and that is something everyone is concerned about. Supt. Tobin reported that they'd discuss which route to take.

#### **RICHARD W. TOBIN'S REPORT – SUPERINTENDENT:**

Supt. Tobin reported that he is preparing a draft article regarding the pinhole leaks. The draft should be ready by next week.

Supt. Tobin provided the Board with the District's monthly financial summary.

Supt. Tobin provided the Board with an NSWCA meeting notice.

#### **Public Participation:**

Amanda Field of 15 Forte Avenue, Old Bethpage stated that regarding pinholes, is the District willing to share the data.

Commissioner Laykind responded that we cannot release data now as this is on-going. We are not asking our engineer to do a preliminary determination now and then again in January. We are going to release data at one time. Our engineer has been asked not to speculate. My opinion is that it's moving along very well.

Amanda Field stated that with regard to the backflow letters a lot of people are claiming they never received the first and second backflow letters and only received the lawyer letter. When did the first and second letters go out?

Supt. Tobin stated that I believe the first letter went out sometime in March.

Amanda Field asked if they have failed at this point can they request an extension to get it replaced.

Supt. Tobin responded that the test is calendar year. If they do it in February it is for 2017. Have them send a letter requesting an extension and it will be reviewed on a case by case basis.

Amanda Field stated that the minutes from three weeks ago were just posted. Will the minutes be updated a little more frequently?

Commissioner Laykind responded that we approved the minutes for the second one and our Clerk to the Board worked very diligently to get that done, but the person that actually uploads them to the website was not in today. If that person is in tomorrow they will be on tomorrow.

Evy Rothman of 11 Robin Lane, Plainview stated that in reading about pinhole leaks extensively on the internet there are three (3) areas in the country since about 2004 that have experienced significant problems with this, Orange County, CA; Sarasota, FL and some communities outside of Baltimore. They are saying very similar things to what we are talking about. Is it electrical current, water pressure, alkalinity or aging water heaters. It would be interesting to know if there is any way to contact any of these areas to see if they have had success in any way with these problems. With regard to the backflow, besides looking on the District website for recommendations, I believe it is the Port Washington Water District where the District negotiated and contracted with certain plumbers and suppliers who do the inspections for a fixed cost.

Supt. Tobin responded that we tried that when I was in Massapequa and we could not get two (2) people to agree on the same price.

Evy Rothman responded it is interesting that another District was able to accomplish this.

Supt. Tobin responded that it depends on your relationship with local plumbers and testers.

Attorney Ingham responded that it is tough for us to control them because they are independent contractors.

Commissioner Laykind responded that you have to respect the fact that you know what we do here, I don't have to repeat it but now we are becoming a consumer advocate and we are trying to work out and negotiate fees. We do that on a large scale when we are negotiating contracts but it is almost like people are not going to be happy. There are other districts that do the testing and they regret ever getting involved in that and there is a cost involved in that too.

Attorney Ingham responded that Paul Granger who is the Superintendent at Port Washington was the Superintendent here and we will call him.

Evy Rothman responded I think that would be great for the residents not to have to do this blindly.

Commissioner Laykind responded that it is not that complicated because most people that are involved in this have sprinkler systems and most people do not turn them on and off themselves so usually when you turn them on and off that person is usually a licensed tester so that is how testing normally gets done.

Larry Weiss questioned the District's Optimum service and the attorney backflow letter.

Commissioner Laykind responded I don't know if you were here but there was a public apology if you read the minutes. I didn't write the letter but I approved the letter and I took responsibility to anybody that was offended by the letter. Supt. Tobin responded that he would look into the District's Optimum account.

Melissa Blezow-Yulet reported that residents are still complaining that they have not received surveys in the mail. Ms. Blezow-Yulet stated that she personally went to residents' homes to go through their mail and the mailman stuck the survey in something. She went to ten (10) residents and found three (3). She told them to go on the website.

Commissioner Laykind responded that on the website you can just fill in the survey and push a button and it will be forwarded to the District's customer service e-mail.

At 6:25 pm a motion was made to enter into Executive Session to discuss personnel.

At 7:15 pm Executive Session ended and the Board returned to Regular Session.

There being no further business to come before the Board, the meeting was adjourned with a call to the Chair at 7:20 pm.

BOARD MEETING - NOVEMBER 22, 2016  
SIGN-IN SHEET

	NAME	ADDRESS
1	STANLEY BRONSKI	68 SCHOOLHOUSE ROAD OLD BETHPAGE NY 11804
2	SINCE BLEZOW-YULET	114 MORTON BLVD PLAINVIEW NY 11803
3	EVY ROTHMAN	11 ROBIE LANE PLAINVIEW
4	AMANDA FIELD	15 FORTE AVE. OBP
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STATE OF NEW YORK            )  
  )  
COUNTY OF NASSAU            ) ss.:  
  
PLAINVIEW WATER DISTRICT )

We, the undersigned, Commissioners of the Plainview Water District, Town of Oyster Bay, Nassau County, New York, do hereby certify that the above-mentioned and contained is a true copy of the minutes of a meeting of the Board of Commissioners held in the District office on Tuesday, November 22, 2016.

IN WITNESS WHEREOF, we have hereunto set our hands and affixed the seal of the Plainview Water District on this 7<sup>th</sup> day of February, 2017.

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JOEL KESSLER, CHAIRMAN

  
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ANDREW N. BADER, TREASURER

  
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MARC B. LAYKIND, SECRETARY