

Regular meeting of the Board of Commissioners of the Plainview Water District was held in the District office on Tuesday, March 7, 2017.

Present: Marc B. Laykind, Chairman  
Andrew N. Bader, Treasurer  
Amanda R. Field, Secretary  
Maria Albano, Clerk to the Board  
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.

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

Attorney Ingham will provide his report in Executive Session, as it relates to personnel.

**JAMES NERI'S REPORT – ENGINEER:**

Engineer Neri updated the Board as it relates to Phase 1 Country Pointe Relocation of Transmission Main. Engineer Neri reported that the contractor mobilized on Monday, March 6, 2017. A meeting was held at H2M last week attended by counsel. Received the Town and County road opening permits. Reviewed the issue of water availability for the soccer fields. Water availability is included under the Phase 2 agreement. There will be water available for this summer. Mr. Pizzulli must apply for water and have a meter and backflow prevention device installed to meet current District standards. Water will be provided through the Old Country Road connection.

Engineer Neri updated the Board regarding water availability for 671 Old Country Road, Plainview. Engineer Neri reported that the backflow plans were received. The documents have been approved and sent to Water Plant Operator, Keith Fleming, for signature to forward to the Nassau County Dept. of Health.

Engineer Neri updated the Board as it relates to the ground storage tank at Plant No. 7. Engineer Neri reported that the tank was cleaned and repair scheduled for Friday, March 10, 2017. A couple of holes, approximately one-half (1/2") inch in diameter were found. After the repair, the tank will be disinfected, disinfection samples taken and, if satisfactory, the tank will be put back in service.

Engineer Neri updated the Board as it relates to the pinhole leak investigation. Engineer Neri reported that the District provided a survey update. Also, H2M received stacks of surveys as well as inspection data. Starting to review.

Engineer Neri updated the Board as it relates to Country Pointe Phase 2. Engineer Neri reported that work has begun for the design of the interior work. A meeting scheduled at H2M for Wednesday, March 8<sup>th</sup> for H2M engineers to meet with Sidney Bowne's engineers to discuss details of the service connections.

Engineer Neri will provide the remainder of his report in Executive Session.

**MARIA ALBANO'S REPORT – CLERK TO THE BOARD:**

Vendor check nos. 44366 through 44380 dated February 28, 2017 were reviewed, approved and signed by the Board.

Ms. Albano requested Board approval and authorization to transfer funds to cover dental claim costs:

- Dental claim dated February 28, 2017

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

RESOLVED, that the Board of Commissioners approves the dental claim dated February 28, 2017 and the Board Treasurer authorized funds be transferred into the District's dental benefit account.

Ms. Albano reported the Long Island Water Conference Legislative Meeting is scheduled for Friday, March 10<sup>th</sup> beginning at 8 am. The meeting will be held at Bethpage State Park. All three Commissioners will be attending.

Ms. Albano reported that the editor of the Plainview Herald requested a comment from the District regarding 1,4 Dioxane.

Ms. Albano reported that the AWWA Annual Conference will be held from June 11 to 14, 2017 in Philadelphia, PA.

**OLD/NEW BUSINESS:**

The board meetings for the month of March 2017 were scheduled as follows:

- Tuesday, March 7<sup>th</sup> at 5:30 pm
- Tuesday, March 14<sup>th</sup> at 5:30 pm
- Tuesday, March 21<sup>st</sup> at 5:30 pm
- Tuesday, March 28<sup>th</sup> at 5:30 pm

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

At 6:55 pm Executive Session ended and the Board returned to Regular Session.

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

RESOLVED, that the Board of Commissioners approves the transfer of employment request made by Christopher Tobin and the Board authorized Commissioner Laykind to execute the Request for Transfer. The Board of Commissioners wishes Chris Tobin good luck, in his new employment.

WHEREAS, Richard Tobin ("Tobin") has been employed as the Superintendent of the Plainview Water District since January 5, 2009; and

WHEREAS, Tobin's employment with the District was governed by a written employment agreement specifically addressing his duties, compensation and benefits; and

WHEREAS, Tobin retired from the District on November 26, 2016; and

WHEREAS, Tobin requested retirement benefits for accrued sick time and annual leave time; and

WHEREAS, the Parties have previously agreed that Tobin is entitled to eighty (80) unused sick days; and

WHEREAS, the Parties have disagreed on several issues regarding the total number of accrued time available to Tobin on the date of his retirement; and

WHEREAS, upon the advice of its accountants, the District has derived at a computation of 21 net annual leave days:

WHEREAS, the Parties wish to resolve this open issue regarding annual leave days;

NOW, THEREFORE, in recognition of the above recitals and upon motion made by Commissioner Laykind and seconded by Commissioner Field, it was unanimously resolved as follows:

First, the District agrees to pay Tobin for eighty (80) accrued sick days at a gross payment of \$61,130.43 and a net payment of \$27,566.57;

Second, the District agrees to pay Tobin twenty-one (21) accrued annual leave days at a gross payment of \$16,046.74 and a net payment of \$8,421.59;

Third, the above figures are made without a contribution to Tobin's 457 Plan;

Fourth, the total net payment made to Tobin is \$35,988.16

Fifth, the total payment was contingent upon the execution by Tobin of the release annexed hereto.


Sixth, that all of the above five (5) conditions are set forth in the annexed Settlement Agreement for Retirement Benefits executed by the Board and Mr. Tobin.

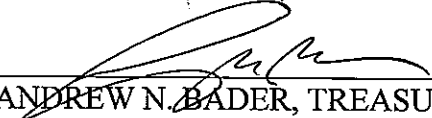
There being no further business to come before the Board, the meeting was adjourned with a call to the Chair at 7:50 pm.


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, March 7, 2017.

IN WITNESS WHEREOF, we have hereunto set our hands and affixed the seal of the Plainview Water District on this        day of September, 2017.

  
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MARC B. LAYKIND, CHAIRMAN

  
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ANDREW N. BADER, TREASURER

  
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AMANDA R. FIELD, SECRETARY