

Regular meeting of the Board of Commissioners of the Plainview Water District was held in the District office on Tuesday, January 14, 2020.

Present: Marc B. Laykind, Chairman  
Andrew Bader, Treasurer  
Stephen Moriarty, Superintendent  
Dina Scott, Business Manager  
Michael Ingham, Attorney  
James Neri, Engineer  
Sujata Pal, Engineer  
Jake Mendlinger, Zimmerman/Edelson

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

Commissioner Laykind opened the meeting with the Pledge of Allegiance.

Correspondence was reviewed in the Board update.

The Board approved and signed payroll checks.

Minutes of previous meeting(s) were read and approved unanimously.

Commissioner Laykind opened the meeting by stating that the District's assembly presentations to the third grade students of the Plainview Old-Bethpage School District are underway. The Board is pleased with the response and reaction of the students during the assemblies.

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

Attorney Ingham requested Ms. Scott send him the draft of the minutes for the District's annual reorganization meeting next Tuesday, January 21, 2020 for his review and assistance in advance of the meeting. Ms. Scott stated there were several items for her to review and upon doing so she will forward to Attorney Ingham.

Attorney Ingham reported that Attorney Lily Okert will be attending the District this upcoming Friday to meet and discuss litigation as a result of insurance claims submitted by a former employee.

Attorney Ingham reported that he is in the process of drafting a memorandum for the District as it relates to the status of insurance and potential litigation resulting from the September 4, 2019 water main break on Southern Parkway.

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

Engineer Pal provided the Board with a Project Status List which contains the status of all authorized projects to date and indicates a change in status of any ongoing projects. Said items were reviewed and discussed with the Board in detail.

Engineer Neri reported that the floor drains and backfill are complete for the VOC Treatment at Plant No. 1 project in preparation of Granulated Activated Carbon (GAC) vessel delivery expected later this week.

Engineer Neri reported that new service line plans for 500 Old Bethpage Road have been approved by the Nassau County Department of Health.

Engineer Neri reported that he has submitted a draft of the summary/closure report for the Purifics reactor to Supt. Moriarty for his review as it relates to the AOP pilot study conducted under the Stony Brook Center for Clean Water Technology grant.

Engineer Neri reported that he is in receipt of the proposal responses for construction of the Plant Nos. 2, 3 and 7 interim Advanced Oxidation Treatment (AOP) treatment projects. Engineer Neri reported that the draft proposal tabulations for Plant Nos. 3 and 7 are under review as they require further investigation and should be resolved in the coming days. Upon resolve, he will report to Supt. Moriarty and then present a recommendation of award to the Board. Engineer Neri presented the proposal tabulations for construction of the Plant No. 2 interim AOP treatment project. The lowest proposal is Phillip Ross Industries for a total proposal of \$706,400.00. Engineer Neri and Supt. Moriarty recommended the District award the construction of the Plant No. 2 AOP interim treatment project to Phillip Ross Industries in the amount of \$706,400.00. Engineer Neri reported that construction of the interim AOP treatment project is required in order to meet the critical time frame for implementation of interim treatment in accordance with the emergency resolution adopted by the Board on July 30, 2019. Engineer Neri stated that a formal bid did not take place due to time constraints in implementing treatment as stated in the emergency resolution, however, public advertisement was made for each of these proposals in an effort to secure the best pricing and the most responsible use of taxpayers dollars.

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

RESOLVED, that the Board of Commissioners authorized the recommendation by Engineer Neri and Supt. Moriarty to engage Phillip Ross Industries to perform the construction of the interim AOP treatment project Plant No. 2 in accordance with the emergency resolution adopted by the Board on July 30, 2019 in the amount of \$706,400.00.

Engineer Neri reported that award letters have been sent for the recently awarded asphalt repair and maintenance, electrical maintenance, plumbing maintenance and emergency service and mark-out services requirements contracts. Engineer Neri reported that each of the respective contracts were delivered to Attorney Ingham today to coordinate execution.

**JAKE MEDLINGER'S REPORT – PUBLIC INFORMATION FIRM:**

Jake Medlinger presented a press release related to signing up for the District's emergency notification system to be published in upcoming weeks for the Board's review and approval. The Board provided comments and approved for submission upon the revisions being made.

Jake Medlinger reported that the recent award of the 2019 WIIA grant has been announced and updated on the emerging contaminants page of the District's website.

Jake Medlinger reported that the District's assembly presentations to the third grade students of the Plainview Old-Bethpage School District are underway and have been very successful and responsive thus far. An additional assembly is scheduled for Friday of this week and the final assembly is scheduled for Thursday of next week. Jake Medlinger reported that a facebook post surrounding the assemblies is being developed.

**STEPHEN MORIARTY'S REPORT – SUPERINTENDENT:**

Supt. Moriarty reported the boiler replacement at the administrative office is installed and operating and that he very pleased with the plumber's quality of work.

Supt. Moriarty reported that a request for disconnect and water availability for a one (1") inch service was approved for premises at 58 Westbury Avenue.

Supt. Moriarty reported that he is working on finishing the Well Analysis Report for the year ending December 31, 2019 and will provide to the Board upon completion.

Supt. Moriarty presented the pumpage and sales report through December 2019. Supt. Moriarty reported that pumpage increased by 1% from the prior year and is in line with the 1% increase in metered water sales for the year ending December 31, 2019. After discussion, the report was ordered and filed.

**DINA M SCOTT'S REPORT – BUSINESS MANAGER:**

Vendor check nos. 51506 through 51535 dated January 3, 2020 in the amount of \$103,454.48 were previously reviewed, approved and signed by the Board.

Vendor check nos. 51541 through 51568 dated January 9, 2020 in the amount of \$54,253.71 were previously reviewed, approved and signed by the Board.

Country Pointe Phase III vendor check no. 104 dated January 10, 2020 in the amount of \$5,069.32 was previously reviewed, approved and signed by the Board.

Capital project vendor check no. 10012 dated January 10, 2020 in the amount of \$77,499.56 was previously reviewed, approved and signed by the Board.

Ms. Scott requested Board approval and authorization to transfer funds to cover the following dental claim costs:

- Dental claims dated January 3, 2020 in the amount of \$1,832.89
- Dental claims dated January 7, 2020 in the amount of \$976.52

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 claims dated January 3, 2020 in the amount of \$1,832.89 and January 7, 2020 in the amount of \$976.52 and the Board authorized funds be transferred into the District's dental benefit account.

Ms. Scott presented a report of customer billing adjustments that were made in accordance with District Policy. After discussion, the report was ordered filed.

Ms. Scott reported that she is working with H2M architects & engineers to obtain the necessary documentation required by the Environmental Facilities Corp. (EFC) to secure Service Disabled Veteran Owned Business (SDVOB) waivers for the contractors of the Plant No. 1 VOC Treatment project awarded under the 2018 Water Infrastructure Improvement Act (WIIA) grant.

Ms. Scott presented a Summary of Capital Projects and Respective Funding Sources which was revised to include a list of recent proposals and Board approved commitments by project to date. Ms. Scott reported the bottom portion of the schedule lists out commitments by project to date as well as a summary of pertinent information in relation to the projects as a whole

Ms. Scott provided the Board with a copy of the Dental Claims Detail History Report through December 31, 2019. After discussion, the report was ordered filed.

Ms. Scott presented the Interim Financial Report for the year ending December 31, 2019 which is required by Section 215(9) of Town Law to be remitted to the Town of Oyster Bay as well as posted to the District's website for 30 days. After discussion, the report was ordered filed.

Ms. Scott presented revisions made to the back side of the District's customer invoice for the Board's review and approval. Commissioner Laykind requested Attorney Ingham review as it relates to the text surrounding penalties assessed for non-payment and approved printing upon his review.

Ms. Scott reported that on October 22, 2019 two transfers in the amount of \$43,500.00, one for Plant No. 2 and the other for Plant No. 3 were executed at the Business Manager's request from the capital projects cash account to the capital improvement reserve account. These transfers were as a result of the revised proposal amounts received by H2M architects & engineers for the decrease in total price of the

AOP pilot studies. Ms. Scott stated that she mistakenly identified the funding source for the Plant No. 2 AOP pilot study as District reserve funds when in fact it is general fund appropriations. As a result, the transfer should not have been made. Board approval is requested to transfer \$43,500.00 back to the capital projects cash account from the capital improvement reserve account.

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 \$43,500.00 from the capital projects cash account to the capital improvement reserve account.

Ms. Scott reported that in accordance with Policy No. 4.9, Annual Leave and Policy No. 4.10, Sick Leave, the following employees have elected to receive payment for unused accumulated sick and/or annual leave for the year ending December 31, 2019:

EMPLOYEE	NO. OF SICK DAYS	NO. OF ANNUAL DAYS
Al Bassetta	12	1 and 7 ½ hours
Keith Fleming	12	11 and 4 hours
Frank Caraturo	12	12
Joseph DiGregorio	5	

Board approval requested.

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

RESOLVED, that in accordance with Policy No. 4.9 annual Leave and Policy No. 4.10 Sick Leave, the Board of Commissioners grants the application for payment of unused accumulated sick and/or annual leave to the above-mentioned employees.

Ms. Scott requested Board authorization to make arrangements to attend the NYSGFOA Annual Conference being held on April 1-3, 2020 at the Albany Marriot in Albany, NY. This governmental conference is attended by many Comptrollers and Financial Officers in the governmental sector and focuses on financial reporting and management as well as internal policies and procedures as it related to governmental activities. Ms. Scott reported that registration for the conference is \$200.00. Ms. Scott requested that lodging reservations be made from March 31, 2020 - April 3, 2020 at the Desmond Hotel in Albany, NY which is near proximity to the venue where the conference is being held. Ms. Scott reported rooms at the Albany Marriot, the venue where the conference is being held is fully booked and therefore requests stay at the Desmond Hotel. Ms. Scott reported that the per diem rate of the Desmond Hotel exceeds the general services administration (gsa) rate of \$115.00. In accordance with the District's Travel Policy, the cost of lodging in excess of the maximum allowed gsa per diem rate may be approved when lodging is unavailable at or below the maximum rate or lodging cannot be found reasonably close to the traveler's destination. Ms. Scott stated that

per her review of hotels conveniently located, there are only two hotels found reasonably close to the destination, both of which are the same rate of \$115.00 per night. Board approval was requested.

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

RESOLVED, that the Board of Commissioners approves lodging for Ms. Scott March 31, 2020 - April 3, 2020 at the Desmond Hotel in Albany, NY which is near proximity to the venue in the conference is being held at a per diem rate of \$127.00 while attending the NYSGFOA Annual Conference.

The Board requested Ms. Scott to make arrangements for Commissioner Laykind, Commissioner Field and Supt. Moriarty to attend the AWWA New York Water Event to be held on April 14 - 16, 2020 at the Saratoga Springs City Center. The Board requested that lodging reservations be made from April 13 - 16, 2020 at the Saratoga Hilton which is the same venue in which the conference is being held. Ms. Scott reported that the per diem rate of the Saratoga Hilton exceeds the general services administration (gsa) rate of \$117.00. In accordance with the District's Travel Policy, the cost of lodging in excess of the maximum allowed gsa per diem rate may be approved when hotel stay is at the same location in which the convention/conference is being held.

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

RESOLVED, that the Board of Commissioners approves lodging for Commissioner Laykind, Commissioner Field and Supt. Moriarty from April 13 - 16, 2020 at the Saratoga Hilton which is the same hotel in which the conference is being held at a per diem rate of \$154.00 while attending the AWWA New York Water Event.

Ms. Scott presented the 2020 Civil Service Payroll Certification for the Boards review and approval prior to submission to the Nassau County Department of Civil Service. The Board approved and executed the submission and directed Ms. Scott to submit to the Department of Civil Service.

Ms. Scott reported that Marni Seletsky requested four (4) days, Tuesday, January 14, 2020 through Friday, January 17, 2020 bereavement leave in accordance with Water District Policy No. 4.13 due to the death of her father-in-law. The Board approved such request.

On the motion of Commissioner Laykind, seconded by Commissioner Bader, the Board went into Executive Session at 7:40 pm to discuss insurance claims submitted by a former employee as well as insurance and potential litigation resulting from the September 4, 2019 water main break on Southern Parkway. The Board emerged from Executive Session at 8:20 pm with no minutes produced and no action taken.

There being no further business to come before the Board, the meeting was adjourned with a call to the Chair at 8:30 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, January 14, 2020.

IN WITNESS WHEREOF, we have hereunto set our hands and affixed the seal of the Plainview Water District on this 30<sup>th</sup> day of March, 2020.



MARC B. LAYKIND, CHAIRMAN



ANDREW N. BADER, TREASURER



AMANDA R. FIELD, SECRETARY