

Regular meeting of the Board of Commissioners of the Plainview Water District was held in the District office on Tuesday, February 11, 2020.

Present: Marc B. Laykind, Chairman
Andrew Bader, Treasurer
Amanda R. Field, Secretary
Stephen Moriarty, Superintendent
Dina Scott, Business Manager
Michael Ingham, Attorney
James Neri, Engineer
Sujata Pal, Engineer
Jake Medlinger, ZE Creative Concepts

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.

MICHAEL INGHAM'S REPORT – ATTORNEY:

Attorney Ingham reported that he is working on coordinating execution of the recently awarded contracts with Philip Ross Industries for the construction of the Plant Nos. 2, 3 and 7 Advanced Oxidation Process (AOP) Treatment projects.

Attorney Ingham requested the Board approve and sign the fire hydrant rental agreement with the Town of Oyster Bay. It was noted that in prior years, the Town would execute the agreements prior to the Commissioners of the Plainview Water District, however, the Town has requested the District to execute first. Said agreements were reviewed and executed by all Commissioners and will be forwarded to the Town for signature.

Attorney Ingham will present his report in executive session as it relates to insurance claims submitted by a former employee.

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 Pal reported that due to the excessive amounts of rain the past few days and also in the forecast the remainder of this week, construction has been delayed slightly

for the Plant No. 1 VOC treatment project. Construction will pick back up full force upon cooperation of weather conditions.

Engineer Neri reported that backflow plans for 171 East Ames Court have been approved by the Nassau County Department of Health.

Engineer Pal reported that she has conducted analysis of the results received from the proposal responses for construction of the Plant Nos. 2, 3 and 7 interim AOP treatment projects to the proposals received from the existing and already mobilized general, plumbing and electrical contractors to conduct the same AOP treatment construction work at Plant No. 1. Results of the analysis were provided and discussions took place regarding justification of not undergoing a separate proposal process for construction services at this location whereby construction for the VOC treatment portion of this project is already in place. Engineer Pal noted that the mobilized contractors on site for the VOC treatment portion of this project have already underwent the formal bidding process. Accordingly, pricing was solicited from these mobilized contractors with the intent of benefitting the taxpayers by achieving an economy of scale to have the existing and new work performed concurrently as well as providing water through AOP treatment for 1,4-dioxane by this summer. Engineer Pal stated that should the pricing be acceptable, and the District opts to award to the existing contractors, the District reduces the risk of increased costs, delays, liabilities, and change orders that would otherwise have a great potential to occur should there be two contractors of the same trade, for multiple trades, working simultaneously in the same space. As indicated in the cost comparison provided, pricing for items of similar scope was compared to proposals recently received by the District for its other project sites. Engineer Neri reported that H2M architects & engineers has thoroughly analyzed and reviewed the contractor's proposal and found the cost fair and reasonable in relation to alternate proposals. Supt. Moriarty presented a memorandum concurring with Engineer Neri and Engineer Pal's recommendation based upon his detailed review and stated that it would be in the best interest of the taxpayers of the Plainview Water District to award the construction contract for the Plant No. 1 AOP treatment projects to W.J. Northridge Construction in the amount of \$275,018.00 for general construction, Philp Ross Industries in the amount of \$509,200.00 for plumbing construction and Eldor Contracting in the amount of \$115,200.00 for electrical construction. Supt. Moriarty also reported that expeditious implementation of AOP treatment on at Plant No. 1 is required in order to meet the critical time frame for implementation of treatment in accordance with the emergency resolution adopted by the Board on July 30, 2019. Board approval was requested.

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

RESOLVED, that the Board of Commissioners approves the recommendation by H2M architects & engineers and Supt. Moriarty to award the contract for the general construction of the AOP treatment project at Plant No. 1 to W.J. Northridge Construction in the amount of \$275,018.00 in accordance with the emergency resolution adopted by the Board on July 30, 2019.

RESOLVED, that the Board of Commissioners approves the recommendation by H2M architects & engineers and Supt. Moriarty to award the contract for the plumbing construction of the AOP treatment project at Plant No. 1 to Phillip Ross Industries in the amount of \$509,200.00 in accordance with the emergency resolution adopted by the Board on July 30, 2019.

RESOLVED, that the Board of Commissioners approves the recommendation by H2M architects & engineers and Supt. Moriarty to award the contract for the electrical construction of the AOP treatment project at Plant No. 1 to Eldor Contracting in the amount of \$115,200.00 in accordance with the emergency resolution adopted by the Board on July 30, 2019.

Engineer Neri reported that conformed contracts have been provided to Attorney Ingham to coordinate execution of the recently awarded construction contracts for the Plant Nos. 2, 3 and 7 interim AOP treatment projects.

Engineer Neri reported that the construction has commenced for the Plant No. 2 interim AOP treatment project and that once the concrete slab is in place, the Granulated Activated Carbon (GAC) vessels will be coordinated for delivery.

Engineer Neri reported that pipe work has commenced by the plumbing contractor and that the electrical contractor has started running conduit at the Plant Nos. 3 and 7 interim AOP treatment projects. Engineer Neri reported that the delivery date for the four GAC vessels for the Plant No. 7 AOP treatment project is scheduled for the morning of Tuesday, February 18, 2020.

Engineer Neri reported that the plans, specifications, design and engineering report for the Plant No. 7 AOP treatment projects have been delivered to the NYS and Nassau County Departments of Health for their review. In addition, the engineering report for said project was delivered to the Center for Clean Water Technology for their review and consideration as it relates to the grant for the pilot studies conducted for various sources of AOP treatment technologies at the plant site.

JAKE MEDLINGER'S REPORT – PUBLIC INFORMATION FIRM:

Jake Medlinger presented a press release related to warning residents against imposters 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 Andrew Gagnon from his office will be conducting a plant site tour with Supt. Moriarty to visit the various plant sites where AOP treatment construction is being conducted in order to gather information and photographs for future District public communications.

Jake Medlinger discussed a series of topics to be considered for future social media posts.

Commissioner Field announced that she met with the working group and legislative committee of the Long Island Water Conference yesterday to discuss suggestive comments to be made by local water districts as it relates to the public comment period which is set to close on March 7, 2020. Said comments relate to the request for clarification by the health departments on the related health risks associated with the impending upcoming regulation as well as the deferral and public notification process and what will required for both.

Commissioner Field announced that she will be attending the Clean Water Coalition Symposium and Lobby Day at the Legislative Office Building in Albany, NY tomorrow. She will be meeting with members of the senate and assembly staff as well as department of health to discuss various topics related to the impending upcoming regulation.

STEPHEN MORIARTY'S REPORT – SUPERINTENDENT:

Supt. Moriarty reported that a request for disconnect and water availability for a one (1") inch service was approved for premises at 78 Northern Parkway.

Supt. Moriarty reported that HO Penn has determined the source of the oil leak on the generator at Plant No. 7 is a defective oil pan gasket and is currently preparing a quote for its repair.

Supt. Moriarty reported that the District is scheduled for participation in the POB High School District STEAM night on Thursday, April 2, 2020. In addition, Supt. Moriarty reported that he is coordinating to speak with students in the careers in engineering class.

Supt. Moriarty provided the Board with a copy of the draft notification to be sent to customers located nearby Plant No. 7 to inform that delivery of the four Granulated Activated Carbon (GAC) vessels for the Plant No. 7 AOP treatment project is scheduled to take place on or about February 18, 2020. After discussion, the Board provided feedback and requested the revisions to the letter be made and resubmitted for their review and final approval.

Supt. Moriarty provided the Board with a revised schedule of rates and charges for 2020 noting an increase only to the cost per fire hydrant rental from \$90.00 per hydrant to \$100.00 per hydrant.

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

RESOLVED, that the Board of Commissioners approves the 2020 Schedule of Rates and Charges.

DINA M SCOTT'S REPORT – BUSINESS MANAGER:

Vendor check nos. 51638 through 51653 dated February 6, 2020 in the amount of \$71,042.19 were previously reviewed, approved and signed by the Board.

Capital project vendor check nos. 10019 through 10021 dated February 6, 2020 in the amount of \$384,388.72 were 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 February 4, 2020 in the amount of \$2,851.41

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 February 4, 2020 in the amount of \$2,851.41 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 provided the Board with a copy of the Dental Claims Detail History Report through January 31, 2020. After discussion, the report was ordered filed.

Ms. Scott presented the January 2020 audience overview and summary of individual pages viewed on the District's website.

Ms. Scott reported that as authorized in the 2019 Annual Budget, the District has budgeted to transfer \$200,000.00 to the capital improvement reserve through expenditure appropriations. Ms. Scott therefore requested Board authorization to execute the transfer of \$200,000.00 from the unreserved/undesignated account to the capital improvement reserve account for the year ending December 31, 2019.

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

RESOLVED, that the Board of Commissioners approves transferring \$200,000.00 from the undesignated/unappropriated account into the District's capital improvement reserve account for the year ending December 31, 2019 as previously adopted.

Ms. Scott reported that as authorized in the 2019 Annual Budget, the District has budgeted to transfer \$518,000.00 to fund capital projects through expenditure appropriations. Total amount expended at year-end was \$373,336.70, leaving \$144,663.30 unexpended. Due to the fact the District committed to using these funds for capital expenditures, Ms. Scott therefore recommends transferring the unexpended

amount to the capital reserve to fund future capital projects. Board authorization is requested to execute the transfer of \$144,663.30 from the unreserved/undesignated account to the capital improvement reserve account for the year ending December 31, 2019.

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

RESOLVED, that the Board of Commissioners approves transferring \$144,663.30 from the undesignated/unappropriated account into the District's capital improvement reserve account for the year ending December 31, 2019.

Ms. Scott presented a reconciliation of the changes in the District's fund balance for the year ending December 31, 2019 and reported that data is preliminary and subject to change. The preliminary figures indicate that the District will end the year December 31, 2019 with an estimated fund balance of approximately \$3,740,466.09 resulting from an increase in revenues over expenditures of an estimated \$1,543,852.26 after deducting capital reserve transfer activity for the year. Ms. Scott advised that including capital reserve transfer activity results in a decrease to fund balance of an estimated \$3,669,531.91. Ms. Scott recommends the District reduce the unreserved/undesignated fund balance to a target level of approximately 25% of 2020 adopted budget by appropriating \$1,400,000.00 to the capital improvement reserve fund from the District's undesignated/unappropriated account. This will result in an estimated preliminary ending fund balance of \$2,340,466.09 for the year ending December 31, 2019. Board approval was requested.

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

RESOLVED, that the Board of Commissioners approves transferring \$1,400,000.00 from the undesignated/unappropriated account into the District's capital improvement reserve account for the year ending December 31, 2019 in order to reduce the unreserved/undesignated fund balance to a target level of approximately 25% of the 2020 adopted budget.

Ms. Scott requested approval for a transfer of \$46,000.00 from the capital projects cash account to the capital improvement reserve account for Plant 3 AOP pilot study expenditures not incurred due to the ineffectiveness of the Atlantium Illuminating Water Technologies AOP reactor. This funding commitment was previously approved on July 16, 2019 and due to the fact the monies will no longer be used to fund the pilot study, they should be transferred back to its originating funding source. Board approval was requested.

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

RESOLVED, that the Board of Commissioners approves transferring \$46,000.00 from the capital projects cash account to the capital improvement reserve account for the year ending December 31, 2019.

Ms. Scott presented a series of email correspondence between the Business Manager and Nicole Morton of Salerno Brokerage Corp. as it relates to the annual workers compensation insurance policy renewal effective February 24, 2020. Ms. Scott reported the District is in receipt of quotes for consideration obtained from three different policy providers as obtained by Salerno Brokerage Corp. as outlined in the email correspondence. Commissioner Laykind stated that he had discussions with both Ms. Scott as well as Salerno Brokerage Corp. in order to obtain additional details related to the consideration of the District utilizing PERMA. Commissioner Laykind stated that he was satisfied with the responses to his inquiries, therefore providing assurance of the security of this self insurance policy. Ms. Scott recommends the District enroll its workers compensation policy with new policy holder PERMA with a premium of \$74,976.00 for the period February 24, 2020 through February 28, 2021.

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

RESOLVED, that the Board of Commissioners approves enrolling its workers compensation insurance policy for the period February 24, 2020 through February 28, 2021 with PERMA through Salerno Brokerage Corp. in the amount of \$74,976.00.

Ms. Scott reported that the 2020 Legislative Breakfast will be held on March 13, 2020 at 8:00 am at the Heritage Club in Bethpage.

Ms. Scott provided a letter received by Flushing Bank notifying that the District will receive a decrease in our interest rate from 1.85% to 1.75% as a result of the recent decrease in federal rates.

PUBLIC PARTICIPATION:

Mr. Newler of 24 Joyce Road addressed the Board regarding several inquiries related to AOP treatment and construction work at various District locations. The Board replied to his inquiries.

Mr. Newler inquired as to the number of pinhole leaks recently reported to the District. Supt. Moriarty replied that there were no leaks reported in December 2019 and one leak was reported in January 2020. Commissioner Laykind stated that while he acknowledges that in prior years, the District had a disproportionate number of pinhole leak occurrences, great measures and actions have been taken to combat this issue. Commissioner Laykind stated that pinhole leaks occur everywhere and that he proud to report that today the District likely has less frequency of occurrences than other surrounding Districts.

On the motion of Commissioner Laykind, seconded by Commissioner Bader, the Board went into Executive Session at 8:00 pm to discuss insurance claims submitted by a former employee. The Board emerged from Executive Session at 8:40 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 8:55 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, February 11, 2020.


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



MARC B. LAYKIND, CHAIRMAN



ANDREW N. BADER, TREASURER



AMANDA R. FIELD, SECRETARY