

Regular meeting of the Board of Commissioners of the Plainview Water District was held via telephone conference on Tuesday, June 9, 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
Greg Gordon, ZE Creative Concepts

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

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 by stating that yesterday marked the one hundredth (100th) day of the COVID-19 pandemic. Today's now bi-weekly meeting is being held via teleconference once again pursuant to the Governor's executive order. The meeting was noticed on the District's website indicating that a phone line is available for public participation. Commissioner Laykind is happy to report that Plainview Water District continues to keep its employees safe and healthy. He complimented the District management and staff on the effectiveness of the precautionary measures that have been put in place to ensure everyone's health and safety. Commissioner Laykind stated that it is time to start discussions on safely reopening the District's administrative office for public entry.

MICHAEL INGHAM'S REPORT – ATTORNEY:

Attorney Ingham reported that the passing of the regulation to enact a maximum contaminant level (MCL) of 1.0 part per billion for 1,4 Dioxane and 10 parts per trillion for each perfluorooctane sulfonate (PFOS) and perfluorooctanoic acid (PFOA) which was anticipated to be set for June 4, 2020 has now been pushed back by the New York State Department of Health to sometime in July. The deadline for enacting the regulations is August 7, 2020. Attorney Ingham reported that should the New York State Department of Health fail to enact the regulations before August 7th, the entire regulatory process must commence again. As per the New York State Public Health and Health Planning Council, the postponement was due to limitations resulting from the COVID-19 pandemic. Consequently, additional time is needed by the New York State Public Health and Health Planning Council to review the comments received as part of the latest public comment period.

Attorney Ingham reported on new COVID-19 legislation passed by both the Senate and Assembly which is now awaiting signature by Governor Cuomo. The

legislation is intended to protect residential customers who have suffered financial hardship due to COVID-19. All utilities, including municipal water districts, are prohibited from terminating service to impacted consumers for non-payment. Utilities must also reconnect those who have been terminated during the COVID-19 pandemic state of emergency. In addition, the legislation also requires that every utility or municipality shall provide financially distressed residential customers the right to enter into, or restructure, a deferred payment plan agreement without requirement of down payment, late fees or penalties. All utility bills must include a statement advising their financially distressed residential consumers of the deferred payment protocol. The legislation will remain in effect for 180 days after the Governor ends the COVID-19 emergency declaration. Thereafter, if the consumer is still in arrears, they can be placed on the tax rolls pursuant to the existing statutory framework. Commissioner Laykind stated for the record that the District has a policy whereby they do not under any circumstance terminate or disconnect water service as a result of nonpayment. In addition, Commissioner Laykind stated that the District has already been very liberal regarding deferred payment plans amid the pandemic. On April 28, 2020, the Board of Commissioners previously resolved to temporarily amend the existing Customer Penalty Policy whereby approval to remove penalties or grant payment plans may be exercised without consideration of if and when a penalty was previously removed in the most recent five years. The Board of Commissioners agreed that requests for deferred payment plans will be considered on a case by case basis.

Attorney Ingham will present the remainder of his report in executive session as it relates to insurance coverage and potential litigation resulting from the 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 H2M architects + engineers has followed up with the Beechwood Organization and Adjo Contracting as it relates to the status of the final site of the Country Pointe Development for phases one and two. Engineer Neri reported that final paving has not yet been completed but is planned to be scheduled in coming months.

Engineer Pal reported that construction continues to be in progress for the Plant No. 1 treatment project. The District has begun blowing off the well in preparation of bacteriological sampling. Engineer Pal reported that a construction progress meeting is scheduled to take place tomorrow where discussions will take place regarding the complications with painting and its hindering the progress of the project. Engineer Pal stated that the painters have experienced issues with bonding of the two part epoxy paint finish.

Engineer Neri reported that construction continues to be in progress for the Plant Nos. 2, 3 and 7 interim Advanced Oxidation Process (AOP) treatment projects.

Engineer Neri provided an outline of the status of responses to the Nassau County Department of Health comment letters based upon their review of the engineering report and design for the Plant Nos. 2, 3 and 7 AOP treatment projects. In addition, Engineer Neri also provided the status of the responses to the Nassau County Fire Marshall for the permits for the chemical bulk storage tanks.

Engineer Neri reported that water quality testing for the Plant Nos. 2, 3 and 7 AOP treatment projects are expected to take place next week.

GREG GORDON'S REPORT – PUBLIC INFORMATION FIRM:

Greg Gordon presented a press release related to water conservation 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.

Greg Gordon reported that the virtual award ceremony for the District's annual poster contest with the Plainview Old-Bethpage School District will be held Thursday, June 11, 2020 at 6:00 pm. The poster contest has been a long standing tradition and partnership with the Plainview Old-Bethpage School District. Commissioner Laykind stated the Board is pleased to continue the tradition virtually amid the COVID-19 pandemic. Greg Gordon reported that the winners of the contest have received the invite to the virtual ceremony and positive feedback has been received.

Greg Gordon presented the Board with topics to consider for the bill insert to accompany the second quarter 2020 customer invoices. The Board provided feedback related to the various topics.

Greg Gordon reported that he is going to review the District's website homepage and prepare proposed edits to any language that may require updating.

STEPHEN MORIARTY'S REPORT – SUPERINTENDENT:

Supt. Moriarty reported that the Plant No. 5 booster pump motor is expected to be delivered Thursday and will be installed immediately upon receipt.

Supt. Moriarty reported that he is working with Total Technology Solutions and Eagle Control Corp. to complete the final items of the new information technology disaster recovery plan.

Supt. Moriarty reported that he will continue to pursue fencing quotes for the perimeter of Plant No. 1 where the new treatment plant is being constructed.

Supt. Moriarty reported that he will work with H2M architects + engineers to pursue quotes for pressure washing of the elevated storage tank. This is based upon the recommendation provided by H2M architects + engineers as a result of the 2020 annual tank inspection report recently conducted.

Supt. Moriarty reported that Auctions International has taken photographs of the 2005 Dodge Durango and the 2005 Chevrolet Express Van to be auctioned off. Supt. Moriarty anticipates having bid numbers for approval at the June 23, 2020 Board meeting.

Supt. Moriarty provided the Board with the May 2020 Pumpage and Sales Report. After discussion, the report was ordered and filed.

DINA M SCOTT'S REPORT – BUSINESS MANAGER:

Vendor check nos. 51974 through 51985 dated May 28, 2020 in the amount of \$13,620.01 were previously reviewed, approved and signed by the Board.

Vendor check nos. 51991 through 52004 dated June 5, 2020 in the amount of \$131,295.66 were previously reviewed, approved and signed by the Board.

Capital projects vendor check no. 10034 dated May 28, 2020 in the amount of \$175,797.50 was previously reviewed, approved and signed by the Board.

Capital projects vendor check nos. 10035 through 10036 dated June 2, 2020 in the amount of 449,475.40 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 May 27, 2020 in the amount of \$863.88
- Dental claims dated June 3, 2020 in the amount of \$267.00

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 May 27, 2020 in the amount of \$863.88 and June 3, 2020 in the amount of \$267.00 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. In addition to the adjustments made within the District's Policy limits, Ms. Scott requested the Board's approval to remove penalties assessed to 37 Forest Drive in the amount of \$62.25 in accordance with District policy. In addition, Ms. Scott requested the Board's approval to grant a six (6) month payment plan to 37 Forest Drive for reasons discussed. Upon discussion, the Board approved Ms. Scott's request.

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

Ms. Scott reported the District is due a refund of \$28,563.00 as a result of the annual workers compensation audit for the period 2/24/2019-2/24/2020.

Ms. Scott presented the Board with a copy of the year to date Budget to Actual Expenditures and Budget Variance Report for the month ending May 31, 2020. After discussion, the report was ordered filed.

Ms. Scott provided the Board with a copy of the Treasurer's Report for the month ending May 31, 2020. In addition, to supplement and support the Treasurer's Report, Ms. Scott also provided the Board with the respective bank reconciliations as well as a collateral summary for all District cash accounts for the month ending May 31, 2020. After discussion, the reports were ordered filed.

Ms. Scott reported that District will receive a decrease in interest rate with Flushing Bank from 0.90% to 0.70% for the capital improvement cash reserve account which is collateralized through means of insured cash sweep. In addition, the District will receive a decrease in interest rate with Flushing Bank from 0.75% to .055% for the capital projects cash account which is collateralized through means of letters of credit. Finally, the District will receive a decrease in interest rate with First National Bank of Long Island Bank from 0.75% to 0.50% for the unappropriated/undesignated cash account.

Ms. Scott reported that she was contacted by a member of the Environmental Facilities Corp. (EFC) who notified her that there is a temporary hold on all submissions for reimbursement under the Water Infrastructure Improvement Act (WIIA) grant award. Minimal explanation was provided except that the temporary hold is based on the direction of New York State and that the EFC and State are working together towards resolution. Ms. Scott updated the Board that three requests for reimbursement for expenditures incurred under the 2018 WIIA grant award have been submitted in recent weeks whereby payment has not been received. In addition, discussions took place regarding the potential that NYS does not follow through on its commitment of the 2019 WIIA grant award due to the fact a fully executed grant agreement is not in place. Ms. Scott reported that the reason the District is not in receipt of the grant agreement is due to the fact we have not received approval for the Plant No. 2 AOP Treatment project engineering report and design by the NYS Department of Health. This approval is required to be obtained prior to the EFC's issuance of the grant agreement for execution. Engineer Neri noted that to date, the State has not issued approval on engineering reports and design for any of the AOP treatment systems submitted that are related to the 2019 WIIA grant award.

On the motion of Commissioner Laykind, seconded by Commissioner Field, the Board went into Executive Session at 7:25 pm to an discuss potential litigation resulting from the water main break on Southern Parkway. The Board emerged from Executive Session at 7:55 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 8:05 pm.

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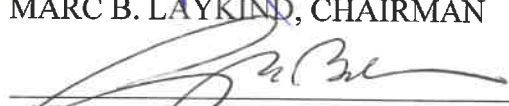
STATE OF NEW YORK)
COUNTY OF NASSAU) ss.:
PLAINVIEW WATER DISTRICT)

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, June 9, 2020.

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



MARC B. LAYKIND, CHAIRMAN



ANDREW N. BADER, TREASURER



AMANDA R. FIELD, SECRETARY