

Regular meeting of the Board of Commissioners of the Plainview Water District was held via telephone conference on Tuesday, June 23, 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 today's 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. He is happy to report that all Plainview Water District employees are safe and well as we continue to take all precautionary measures to ensure everyone's health and safety.

MICHAEL INGHAM'S REPORT – ATTORNEY:

Attorney Ingham reported that previously, in accordance with NY Election Law Section 3-110, all registers voters are eligible to take off up to two hours, without loss of pay, to provide time to vote. However, the law was recently amended eliminating the two hour time off if the employee has four (4) hours between the opening of the polls and the beginning of his/her work shift, or between the end of his/her work shift and the closing of the polls. This four (4) hour period is deemed under the statute to constitute as sufficient time to vote.

Attorney Ingham reported that the legislation intended to protect residential customers who have suffered financial hardship due to COVID-19 remains pending and has not yet been signed by Governor Cuomo. Attorney Ingham reported that he reviewed the Payment Deferral Request Form prepared by Ms. Scott in anticipation of the legislation and agreed the form was appropriate. He also stated that making the form available to residents and required notification to customers does not need to take place until the legislation has been passed. 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 Pal reported that construction continues to be in progress for the Plant No. 1 treatment project. Engineer Pal was pleased to report that the painting is now complete and the electrical control panels were delivered today. A construction progress meeting is scheduled to take place tomorrow where notification will be made to all contractors that a letter will be sent informing them of the District's ability to seek liquidated damages in accordance with the executed contract. This is due to the fact the project is not finalized within the completion date as stated in the contractual agreement between the District and each contractor. Engineer Pal also reported that she is in receipt of comments from both the New York State and Nassau County Departments of Health based upon their review of the engineering report and design for the Plant No. 1 AOP treatment project. H2M architects + engineers are preparing the responses to said comments.

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 New York State and 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 he attempted to assist the District in securing 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. Engineer Neri reported that he was able to secure only one quote as quotes were not received by the other vendor solicited. He will continue to put forth efforts in securing additional pricing.

Engineer Neri reported that the U.S. Environmental Protection Agency (EPA) announced today that it has awarded \$220 million to New York for State Revolving Funds (SRFs) to assist with water infrastructure projects that help protect surface water and provide safe drinking water to communities throughout the state, \$45 million of which is to be allocated to drinking water. This brings some relief due to the questioning of the future of Water Infrastructure Improvement Act Grant (WIIA) availability and future submissions. Engineer Neri reported he received information that the Environmental Facilities Corp (EFC) did issue notification that they will in fact honor its commitment of

the awarded 2019 WIA grant award. The Board of Commissioners expressed relief to hear the EFC will be honoring its previous commitment as the District will receive 100% of all grants awarded in 2019.

GREG GORDON'S REPORT – PUBLIC INFORMATION FIRM:

Greg Gordon presented the second quarter 2020 bill insert for the Board's review and approval. The Board provided comments and approved for printing upon the revisions being made.

Greg Gordon presented a series of social media posts to be reviewed and posted on the District's Facebook page. The Board provided comments and approved for printing upon the revisions being made. Additionally, Commissioner Field requested he also prepare a social media post congratulating the 2020 graduates of the Plainview Old-Bethpage High School.

Greg Gordon presented proposed edits and updates to the District's website homepage based on his review. The Board agreed to review and provide feedback.

Greg Gordon discussed topics for consideration of the next e-mail blast. After discussion of the content, the Board requested him to prepare and submit for their review and approval.

STEPHEN MORIARTY'S REPORT – SUPERINTENDENT:

Supt. Moriarty reported that he is awaiting one additional quote for fencing of the perimeter of Plant No. 1 where the new treatment plant is being constructed.

Supt. Moriarty presented a recommendation for approval to dispose of and close out the auction for the following vehicles at the following high bid auctioned prices;

2005 Dodge Durango at \$1,725.00
2005 Chevrolet Express Van at \$4,550.00

Supt. Moriarty also requested authorization to remove said vehicles from the District's fixed asset listing.

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

RESOLVED, that the Board of Commissioners approves the disposal and auction close out of the 2005 Dodge Durango at \$1,725.00 and 2005 Chevrolet Express Van at \$4,550.00 for a total of \$6,275.00.

Supt. Moriarty reported that he is working with H2M architects + engineers to obtain a proposal for them to assist in administering the bidding process for roof replacement at the District's main office and adjacent garages. Supt. Moriarty stated that

the roofs are over twenty four (24) years old and are in need of replacement. He will be selecting the same shingle used for the new Plant No. 1 treatment facility which comes with a twenty year (20) workmanship and forty year (40) material warrantee.

Supt. Moriarty reported that pump C of the Plant No. 4 booster pump was found to have a noticeable vibration. Layne Christensen who is the well and booster pump requirements contract holder conducted troubleshooting on the pump and found that the bearing housings were damaged and causing wearing conditions on the motor shaft. Total cost for parts to repair the pump are \$3,900.00 plus the cost of labor in accordance with the requirements contract previously bid. Supt. Moriarty requested Board approval to repair the pump. The Board approved Supt. Moriarty's request as the repair is in accordance with the previously awarded well and booster pump requirements contract.

Supt. Moriarty reported that he has engaged PowerPro Service to conduct a diesel fuel sample analysis on each of the generators throughout the District. This analysis is being conducted to ascertain if the generator issues identified at Plant No. 1 were an isolated instance, as well as to eliminate the possibility of a bad fuel delivery or concern of stale fuel. Supt. Moriarty stated he will report the conclusion of the analysis to the Board.

Supt. Moriarty reported that the registration is complete and he is in receipt of the license plates for District vehicle number (thirty three) 33.

Supt. Moriarty will present the remainder of his report in executive session as it relates to litigation matters.

DINA M SCOTT'S REPORT – BUSINESS MANAGER:

Vendor check nos. 52010 through 52024 dated June 12, 2020 in the amount of \$11,041.76 were previously reviewed, approved and signed by the Board.

Vendor check nos. 51030 through 52041 dated June 17, 2020 in the amount of \$23,341.53 were previously reviewed, approved and signed by the Board.

Capital projects vendor check no. 10037 dated June 12, 2020 in the amount of \$201,855.53 was previously reviewed, approved and signed by the Board.

Capital projects vendor check no. 10038 dated June 17, 2020 in the amount of \$46,233.21 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 June 16, 2020 in the amount of \$328.68

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 June 16, 2020 in the amount of \$328.68 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 bound copy of the audited financial statements for the year ending December 31, 2019. In addition, also provided were communications to those charged with governance as a result of the audited financial statements as presented by Cullen & Danowski.

Ms. Scott reported that responses for the water rate study request for proposal are due Friday, June 26, 2020.

Ms. Scott presented the Board with a draft of the special message to be inserted into the special messages section of the second quarter 2020 customer invoice as it relates to the impending legislation intended to protect residential customers who have suffered financial hardship due to COVID-19. In addition, Ms. Scott also presented the Board with a draft of the Payment Deferral Request Form to be used for customers who wish to have their payments deferred. The Board agreed to review the message and form in consideration of the impending legislation.

Ms. Scott reported that the District is in receipt of reimbursement for the three recently submitted disbursement requests incurred on the Plant No. 1 VOC Treatment project under the 2018 WIIA grant award. Ms. Scott reported that to date the District has submitted for reimbursement of 100% of the total grant award, by which we are limited to 75% reimbursement until submission of the certificate of project completion. Reimbursement amounts have been capped accordingly and the District will be made whole upon submission and approval of the certificate of completion.

Ms. Scott presented a schedule of fund balance trends from the most recent ten years for the Board's review and consideration.

Ms. Scott will present the remainder of her report in executive session as it relates to correspondence submitted to the Department of Labor in relation to the former employee claim for unemployment.


On the motion of Commissioner Laykind, seconded by Commissioner Field, the Board went into Executive Session at 7:15 pm to discuss potential litigation resulting from the water main break on Southern Parkway as well as correspondence submitted to the Department of Labor in relation to the former employee claim for unemployment. The Board emerged from Executive Session at 7:45 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 8:00 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, June 23, 2020.

IN WITNESS WHEREOF, we have hereunto set our hands and affixed the seal of the Plainview Water District on this 7th day of July, 2020.



MARC B. LAYKIND, CHAIRMAN



ANDREW N. BADER, TREASURER



AMANDA R. FIELD, SECRETARY