

Regular meeting of the Board of Commissioners of the Plainview Water District was held via telephone conference on Tuesday, July 14, 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 remain safe and well as we continue to take all precautionary measures to ensure everyone's health and safety. Commissioner Laykind stated that effective yesterday, the District has reopened the office to the public with newly implemented safety precautions. The District will recommence live Board meetings subsequently thereafter, as soon as additional safety protocols are in place.

MICHAEL INGHAM'S REPORT – ATTORNEY:

Attorney Ingham reported that Governor Cuomo has provided updates to the list of travel restricted states who are experiencing a resurgence of COVID-19. The list now consists of twenty-two states whereby all employees who voluntarily travel to the restricted states shall be subject to a mandatory fourteen (14) day quarantine upon return to New York. These employees may not return to work until their quarantine is over. In addition, employees who travel to these restricted states shall not be eligible for COVID-19 sick benefits. Supt. Moriarty reported that he distributed a revised memorandum and list of travel restricted states to all District employees notifying them of the updates.

Attorney Ingham reported that the Public Health and Health Planning Council's Committee on Codes, Regulations and Legislation will meet on July 30, 2020 to consider adoption of a Maximum Contaminant Level (MCL) of 10 parts per billion (10 ppb) for perfluorooctanoic acid (PFOA), perfluorooctanesulfonic acid (PFOS) and 1 part per billion (1 ppb) 1,4-Dioxane in drinking water. Engineer Neri confirmed the meeting and

probable enactment of the MCL based on his recent discussions with various NYS regulatory personnel. Commissioner Laykind stated that the District has been working aggressively toward effective treatment ahead of the expected regulations set by the Public Health and Health Planning Council. Treatment is in the final performance sampling stages which will require approval by both the NYS and Nassau County Departments of Health before the District is able to supply the treated water to the community.

Attorney Ingham requested the District give consideration to administration of the water commissioner election in December as it relates to enhanced safety precautions and social distancing in light of COVID-19. The Board agreed to consider and plan accordingly.

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. The contractors are working rapidly in an effort to complete the project. Engineer Pal reported that a construction progress meeting is scheduled to take place tomorrow where discussions will take place regarding the final stages of the project and what is required to achieve completion. 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 Advanced Oxidation Process (AOP) treatment project. Responses were submitted to the New York State Department of Health yesterday. Responses to the Nassau County Department of Health are more extensive and are anticipated to be sent next week.

Engineer Neri reported that construction is near completion for the Plant Nos. 2, 3 and 7 interim AOP treatment projects. Engineer Neri also reported that performance testing is underway at Plant Nos. 2 and 7.

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.

GREG GORDON'S REPORT – PUBLIC INFORMATION FIRM:

Greg Gordon reported that he worked with Ms. Scott to complete the necessary modifications to the District's website to accommodate for the new automatic online bill pay system as designed by the District's utility billing software provider.

Greg Gordon presented content for the next upcoming e-mail blast for the Board's consideration. The Board provided comments and approved for sending upon the revisions being made.

Greg Gordon presented content for the Plainview Old-Bethpage Library COVID-19 history submission. The Board agreed to review and provide feedback.

Greg Gordon requested the Board's consideration of various means of communication with its residents regarding the upcoming enactment of the MCL for 1,4-Dioxane. At length discussion took place regarding different channels of communicating. The Board agreed to further discuss and consider.

STEPHEN MORIARTY'S REPORT – SUPERINTENDENT:

Supt. Moriarty presented the pumpage and sales report through June 2020. After discussion, the report was ordered and filed.

Supt. Moriarty provided the Board with a memorandum of recommendation to engage H2M architect + engineers to conduct engineering design and support services for the construction of the Plant No. 2 permanent AOP treatment facility. Supt. Moriarty reminded the Board that the District is in receipt of the 2019 Water Infrastructure Improvement Act grant award to assist with the funding of this project. Supt. Moriarty's reported that permanent construction of this Plant site will provide year-round operation as opposed to seasonal operation only. The Board agreed to consider Supt. Moriarty's recommendation after further review.

Supt. Moriarty presented a letter written by an anonymous customer regarding irrigation restriction regulations and recommendations. Commissioner Laykind stated that the customer's expressed concerns are all valid and that the District puts forth its best efforts to monitor compliance with its ordinances and irrigation restriction requirements.

DINA M SCOTT'S REPORT – BUSINESS MANAGER:

Vendor check nos. 52085 through 52108 dated July 9, 2020 in the amount of \$60,589.59 were previously reviewed, approved and signed by the Board.

Capital projects vendor check nos. 10041 through 10042 dated July 6, 2020 in the amount of \$321,011.18 were previously reviewed, approved and signed by the Board.

Capital projects vendor check no. 10043 dated July 9, 2020 in the amount of \$2,261.19 was previously reviewed, approved and signed by the Board.

Ms. Scott reported that quarterly and monthly report submissions have been made to the Environmental Facilities Corporation (EFC) as it relates to the 2018 Water Infrastructure Improvement Act (WIIA) grant award for the Plant No. 1 VOC treatment project.

Ms. Scott reported that she continues to await response from Stonybrook Center for Clean Water Technology (CCWT) on extension of the CCWT grant agreement which expired on June 30, 2020. Based upon Ms. Scott's most recent communication, the CCWT is waiting on the fully executed amendment back from their prime sponsor, New York State, and will be able to issue an amendment to the Plainview Water District thereafter.

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 the newly designed automatic online bill pay system has been implemented by the District's utility billing software provider. Ms. Scott reported that she worked with Greg Gordon to complete the necessary changes to the District's website.

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 June 30, 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 June 30, 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 June 30, 2020. After discussion, the reports were ordered filed.

Ms. Scott reported that she received a request from DR Administrative Services with a recommendation to add code D1999 for personal protective equipment at a rate of \$25.00 to the existing fee schedule of dental services covered. After discussion, the Board approved Ms. Scott's request.

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

RESOLVED, that the Board of Commissioners approves adding dental code D1999 for personal protective equipment at a rate of \$25.00 to the existing fee schedule of dental services covered.

Ms. Scott reported that in order to adhere to current cash flow requirements she proposes the transfer of \$250,000.00 from the District's unreserved/undesignated account to its operating account. After discussion, the Board approved Ms. Scott's request.

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

RESOLVED, that the Board of Commissioners approves the transfer of \$250,000.00 from the District's unreserved/undesignated account to its operating account.

Ms. Scott presented a memorandum of recommendation and summary of requests for proposal submitted for a water rate study and analysis to be conducted. This study and analysis will assist the District in reassessing its existing water rate structure and real property tax revenues in correlation to the upcoming impacts to future debt service payments. Ms. Scott reported this is necessary as a result of the November 2019 \$25.8 million bonded indebtedness authorization for the funding of the construction of AOP treatment facilities to remove 1,4-Dioxane from drinking water. Upon discussion, Ms. Scott recommended to engage the services of NewGen Strategies & Solutions with a proposed fee of \$39,300.00. 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 authorizes to engage NewGen Strategies & Solutions to conduct a water rate study and analysis at a fee of \$39,300.00.

Ms. Scott presented a memorandum regarding consideration of establishing an assignment of fund balance for the purpose of funding future emerging contaminant projects.

Ms. Scott reported that based upon her review of year to date financial data, she projects the District will have significant excess of revenues over expenditures for the year ending December 31, 2020. Ms. Scott further reported that upon preparation of the 2020 budget, the District anticipated an increase of approximately \$760,000.00 in expenditures directly related to the operation and maintenance of Advanced Oxidation Process (AOP) treatment. These anticipated operating and maintenance costs were the direct result of never before incurred expenditures related to newly implemented AOP treatment for 1,4 Dioxane. Consequently, the District has never previously had to budget for these items in prior years. These new costs were projected in light of the Public Health and Health Planning Council's pending acceptance of the Drinking Water Council's recommendation to establish a Maximum Contaminant Level (MCL) of 1.0 part per billion for 1,4-Dioxane.

Ms. Scott then reported that upon preparation of the 2020 operating budget, it was anticipated that this impending regulation would be enacted in March of 2020. These AOP treatment facilities would have been operational for nine of the twelve months of the 2020 year, most significantly, through the high pumpage/peak demand season. As a result of a regulatory delay, the Public Health and Health Planning Council has still not adopted this regulation and therefore delayed approval of the newly constructed systems. This will result in both unanticipated underspending of the 2020 expenditure budget as well as an excess of revenues over expenditures at year-end.

Ms. Scott recommended that the Board create an assignment of fund balance to allocate these anticipated unexpended budgeted expenditures to fund the construction and maintenance of future permanent AOP treatment facilities. This assignment can also be utilized to plan in advance for funding of any future emerging contaminant treatment facilities.

Ms. Scott reported that in November 2019, the District was authorized to bond nearly \$26 million to construct AOP treatment facilities to remove 1,4-Dioxane from drinking water. This includes financing for both interim treatment facilities to institute timely AOP treatment in anticipation of the impending regulation. The 2019 bond authorization also includes financing for the long-term permanent construction of these AOP treatment facilities. To date, the District has incurred costs on the interim treatment facilities for Plant Nos. 2, 3 and 7. Construction for AOP treatment at Plant No. 4 is to take place in the later part of 2020 or early part of 2021. The District anticipates the immediate cost of the interim treatment facilities to be approximately \$7.5 million, with an additional \$18.5 million to be spent to construct permanent treatment facilities.

For all of the above reasons, Ms. Scott recommend that the Board adopt the establishment of an assignment of fund balance for the purpose of funding future emerging contaminant projects. Ms. Scott recommends establishing this assignment of fund balance, and additionally allocating \$1,000,000.00 from the unassigned fund balance. Ms. Scott advised that this requires the opening of a new cash account with First National Bank of Long Island for the creation of this assignment of fund balance cash account. Ms. Scott further advised that any interest earned in this new cash account will further increase the assignment of fund balance.

After reviewing Ms. Scott's recommendation and concurring with same, and upon motion made by Commissioner Laykind, seconded by Commissioner Field, the below stated resolutions were adopted unanimously:

WHEREAS, the Board of Commissioners deems it in the best interest of the District to establish an assignment of fund balance for the purpose of funding future emerging contaminant projects; and

WHEREAS, the Board of Commissioners is desirous to open a new cash account with First National Bank of Long Island for the establishment of the newly adopted assignment of fund balance; and

WHEREAS, the Board of Commissioners deems it in the best interest that any interest earned in this new cash account will further increase the assignment of fund balance; and

WHEREAS, the Board of Commissioners deems it in the best interest of the District to allocate \$1,000,000.00 from the District's unassigned fund balance for the purpose of funding future emerging contaminant projects; and

WHEREAS, the Board of Commissioners is desirous of transferring \$1,000,000.00 from Unassigned Fund Balance (A-0909-00-0000) to Fund Balance Assigned for Funding Emerging Contaminant Projects (A-0915-00-0000). The respective cash transfer will be made to the newly established Assigned Fund Balance cash account (A-0201-00-0005) from the Unappropriated/Undesignated cash account (A-0201-00-0004) as recommended based on financial analysis conducted by Ms. Scott; and

NOW THEREFORE,

BE IT RESOLVED, the Board of Commissioners authorizes the establishment of an assignment of fund balance for the purpose of funding future emerging contaminant projects; and

BE IT FURTHER RESOLVED, the Board of Commissioners authorizes the opening of a new cash account with First National Bank of Long Island for the establishment of the newly adopted assignment of fund balance; and

BE IT FURTHER RESOLVED, the Board of Commissioners authorizes that any interest earned in this new cash account will further increase the assignment of fund balance; and

BE IT FURTHER RESOLVED, the Business Manager is hereby authorized, empowered and directed to allocate \$1,000,000.00 for the purpose of funding future emerging contaminant projects from District's unassigned fund balance; and


BE IT FURTHER RESOLVED, the Business Manager is hereby authorized, empowered and directed to transfer \$1,000,000.00 from Unassigned Fund Balance (A-0909-00-0000) to Fund Balance Assigned for Funding Emerging Contaminant Projects (A-0915-00-0000). The respective cash transfer will be made to the newly established Assigned Fund Balance cash account (A-0201-00-0005) from the Unappropriated/Undesignated cash account (A-0201-00-0004) as recommended based on financial analysis conducted by Ms. Scott.


There being no further business to come before the Board, the meeting was adjourned with a call to the Chair at 8:15 pm.

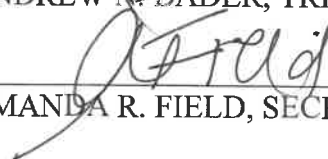
STATE OF NEW YORK)
COUNTY OF NASSAU) ss.:
PLAINVIEW WATER DISTRICT)

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, July 14, 2020.

IN WITNESS WHEREOF, we have hereunto set our hands and affixed the seal of the Plainview Water District on this 28th day of July, 2020.



MARC B. LAYKIND, CHAIRMAN


ANDREW N. BADER, TREASURER


AMANDA R. FIELD, SECRETARY