

Regular meeting of the Board of Commissioners of the Plainview Water District was held in the District office on Tuesday, February 23, 2021.

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.

MICHAEL INGHAM'S REPORT – ATTORNEY:

Attorney Ingham reported that the 2021 hydrant agreement for the Town of Oyster Bay Plainview Fire Protection District was duly executed and will be returned to the District.

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 preconstruction meeting for the installation of drainage pipe connection from the Plant No. 3 blow off to the Town of Oyster Bay stormwater basin No. 10 took place on Friday, February 19, 2021. He is awaiting confirmation from the contractor regarding coordinating scheduling the work to be conducted.

Engineer Neri reported that a kickoff meeting for the roof replacements at Plant No. 1 took place on Wednesday, February 17, 2021. Engineer Neri also reported that work is estimated to begin within the month of March, weather permitting.

Engineer Neri reported that he is preparing to submit what he anticipates will be the final round of responses to comments issued by the Nassau County Department of Health on the engineering plans for the Plant No. 7 interim AOP treatment project.

Engineer Neri reported that the final Emergency Response Plan is ready for print and that the Vulnerability Assessment is under quality control review.

GREG GORDON'S REPORT – PUBLIC INFORMATION FIRM:

Greg Gordon presented a press release related to the District keeping its water safe and secure to be published in upcoming weeks for the Board's review and approval. The Board approved for submission.

Greg Gordon reported that the recent e-mail blast recently sent has received an open rate of 46.1% which is exceptionally high.

Greg Gordon reported that he is currently working on the social media content calendar for March 2021 post. He will present to the Board upon completion.

Greg Gordon requested the Board's consideration and availability to schedule a kickoff meeting to discuss the Spring 2021 newsletter. The Board agreed to review their schedule and coordinate.

STEPHEN MORIARTY'S REPORT – SUPERINTENDENT:

Supt. Moriarty provided the Board with a request for water disconnect and availability for a one (1") inch service at 194 Main Parkway West. The Board approved Supt. Moriarty's request.

Supt. Moriarty requested the Board's availability to schedule a walk through for consideration of the building placement for the Plant No. 2 permanent Advanced Oxidation Process (AOP) treatment facility design. The Board agreed to review their schedule and coordinate.

Supt. Moriarty provided the Board with a copy of the recently drafted Public Employee Health Emergency Plan as required by New York State. The Board agreed to review.

DINA M SCOTT'S REPORT – BUSINESS MANAGER:

Vendor check nos. 52807 through 52833 dated February 18, 2021 in the amount of \$69,176.61 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 16, 2021 in the amount of \$374.28

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 16, 2021 in the amount of \$374.28 and the Board authorized funds to 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 submission for reimbursement of expenditures incurred of \$1,639,266.75 under the 2019 Water Infrastructure Investment Act grant award as it relates to the Plant No. 2 interim AOP project. Upon receipt of reimbursement, the District will remit payment to the Town of Oyster Bay to pay down on the funds temporarily financed through bond anticipation notes issued through the Town of Oyster Bay.

Ms. Scott reported that she, members of the Board and Supt. Moriarty have been registered for the NYS Virtual Legislative and Regulatory Dialogue on Wednesday, March 10, 2021 from 10:00am to 12:30pm.

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 March 1, 2021. Ms. Scott recommends the District renewing its workers compensation policy with its existing policy holder Perma at an annual premium of \$71,149.00 for the period March 1, 2021 through February 28, 2022. Ms. Scott reported the current year premium amount represents a decrease of \$4,848.00 from the prior year. 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 renewal of its workers compensation insurance policy for the period March 1, 2021 through February 28, 2022 with Perma through Salerno Brokerage Corp. in the amount of \$71,149.00.

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

Ms. Scott presented a reconciliation of the changes in the District's fund balance for the year ending December 31, 2020 and reported that data is preliminary and subject to change. Ms. Scott recommends the District reduce the unassigned fund balance to a target level of approximately 25% of 2021 adopted budget by appropriating \$1,500,000.00 to the assignment of fund balance for future emerging contaminants from the District's undesignated/unappropriated account. 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 \$1,500,000.00 from the undesignated/unappropriated account into the District's assignment of fund balance for future emerging contaminants cash account for the year ending December 31, 2020 in order to reduce the unassigned fund balance to a target level of approximately 25% of the 2021 adopted budget.

Ms. Scott reported that as authorized in the 2020 Annual Budget, the District has budgeted to transfer \$400,000.00 to fund capital projects through expenditure appropriations. Upon close of the District's books and records FOR THE YEAR ENDING December 31, 2020, it has been identified that additional funds of \$9,842.34 remain unexpended from this account, Ms. Scott recommends transferring the unexpended amount to the assigned fund balance account to fund future capital projects. Board authorization is requested to execute the transfer of \$9,842.34 from the unreserved/undesignated account to the assigned fund balance account for the year ending December 31, 2020.

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

RESOLVED, that the Board of Commissioners approves transferring \$9,842.34 from the unreserved/undesignated account to the assigned fund balance account for the year ending December 31, 2020.

Ms. Scott presented a memorandum regarding consideration of a reallocation of funding sources for the Plant No. 2 interim and permanent AOP treatment projects. At length discussion took place regarding the various reasons supporting Ms. Scott's recommendation.

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

Ms. Scott presented a memorandum regarding establishing an assignment of fund balance for the purpose of funding future emerging contaminants. At length discussion took place regarding the various reasons supporting Ms. Scott's recommendation.

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

The following board meetings were scheduled for March 2021:

- March 9th at 5:30 pm
- March 16th at 5:30 pm
- March 23rd at 5:30 pm – Additional public session at 7:00 pm
- March 30th at 5:30 pm

There being no further business to come before the Board, the meeting was adjourned with a call to the Chair at 7:50 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 23, 2021.

IN WITNESS WHEREOF, we have hereunto set our hands and affixed the seal of the Plainview Water District on this 31st day of March, 2021.



MARC B. LAYKIND, CHAIRMAN



ANDREW N. BADER, TREASURER



AMANDA R. FIELD, SECRETARY

**EXCERPTS FROM THE MINUTES OF THE MEETING OF
PLAINVIEW WATER DISTRICT OF FEBRUARY 23, 2021**

**RESOLUTION AUTHORIZING A REALLOCATION OF FUNDING SOURCES FOR
THE PLANT NO. 2 INTERIM AND PERMANENT ADVANCED OXIDATION
PROCESS TREATMENT FACILITIES**

Ms. Scott presented a memorandum regarding consideration of a reallocation of funding sources for the construction of the Plant No. 2 interim and permanent Advanced Oxidation Process (AOP) treatment facility projects.

Ms. Scott reported that on July 30, 2019, the District passed an emergency resolution which included in part, a commitment to construct and implement AOP treatment at District Plant No. 2 in order to remove 1,4 Dioxane. At the time of resolution, the designated funding source of this project was bond anticipation notes issued through the Town of Oyster Bay. Subsequently, on December 23, 2019, the District was awarded \$3,670,200 from the Environmental Facilities Corp. through the 2019 Water Infrastructure Improvement Act Drinking Water (WIIA) Grant. This grant award would therefore reduce the financing needed through bond anticipation notes by the respective amount awarded.

Ms. Scott reported that this AOP project was allocated into two phases, an interim and a permanent phase. The interim phase would enable to the District to institute treatment in accordance with the time restrictions set forth by the NYS DOH regulation. Thereafter, a permanent treatment facility would then be constructed. Funding for both the interim and permanent phases would be an allocation of both the 2019 WIIA Grant Award followed by bond anticipation notes for the remaining balance not funded through grant proceeds.

Ms. Scott then reported that the cost opinion prepared by H2M architects + engineers for construction of both the interim and permanent treatment facility at Plant No. 2 estimated total project costs to be \$6,117,000. With \$3,670,200 being funded by the 2019 WIIA grant award, the District's respective matching portion of the project total is \$2,446,800. It was previously resolved that the District would fund its matching portion through bond anticipation notes. However, with a balance in the assignment of fund balance for the purpose of funding future emerging contaminants of approximately \$2,600,000, Ms. Scott recommends the District reconsider the previously designated funding source and commit to using these funds for the construction of the interim and permanent AOP treatment facility at Plant No. 2.

In conclusion, based on the original funding anticipation of the Plant No. 2 interim and permanent AOP treatment projects and the subsequent award of the 2019 WIIA grant as well as the District's current commitment to fund the remaining costs not covered through the grant, the District has saved its taxpayers a total of \$6,117,000 in future debt obligations, resulting in savings for the related principal and interest payments for years to come.

For all of the above stated reasons, Ms. Scott requests the Board's commitment to reallocate the funding source for the District's respective matching portion of the 2019 WIIA grant for Plant No. 2 interim and permanent AOP treatment from bond anticipation notes to the fund balance assignment for emerging contaminants for both previous and future expenditures incurred for a total of \$2,446,800.

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

WHEREAS, the Board of Commissioners deems it in the best interest of its taxpayers to reallocate the commitment of funding sources for the Plant No. 2 interim and permanent AOP treatment projects from bond anticipation notes issued through the Town of Oyster Bay to the assignment of fund balance for future emerging contaminants for both previous and future expenditures incurred for a total of \$2,446,800.

NOW THEREFORE,

BE IT RESOLVED, the Board of Commissioners deems it in the best interest of the District to reallocate the commitment of funding sources for the Plant No. 2 interim and permanent AOP treatment projects from bond anticipation notes issued through the Town of Oyster Bay to the assignment of fund balance for future emerging contaminants for both previous and future expenditures incurred for a total of \$2,446,800.

VOTE	AYES:	3	NOES:	0	ABSTENTIONS:	0
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Commissioner Laykind	AYE
Commissioner Bader	AYE
Commissioner Field	AYE

**EXCERPTS FROM THE MINUTES OF THE MEETING OF
PLAINVIEW WATER DISTRICT OF FEBRUARY 23, 2021**

**RESOLUTION AUTHORIZING ESTABLISHING AN ASSIGNMENT OF FUND
BALANCE FOR THE PURPOSE OF FUNDING FUTURE DEBT SERVICE**

Ms. Scott presented a memorandum regarding consideration of establishing an assignment of fund balance for the purpose of funding future debt service.

Ms. Scott reported that in May 2019, the District was authorized to bond approximately \$4.3 million to construct a nitrate and perchlorate removal treatment facility at Plant No. 4. In addition, in November 2019, the District was authorized to secure a bond anticipation note of approximately \$25.8 million to construct Advanced Oxidation Process (AOP) treatment facilities to remove 1,4-Dioxane from drinking water at Plant Nos. 2, 3, 4 and 7. In total, in 2019, the District committed to incurring approximately \$30 million in additional debt service for the construction of the aforementioned treatment facilities.

Ms. Scott then reported that subsequent to the November 2019 bond resolution with the Town of Oyster Bay, the District was awarded \$3,670,200.00 through the 2019 Water Infrastructure Improvement Act Grant. Grant related expenditures were incurred and temporarily funded through the bond authorization, with anticipation of paying down the debt service upon receipt of grant proceeds. On February 16, 2021, the District was issued authorization to release the grant awarded funds and therefore submitted for reimbursement of \$1,639,266.75 of expenditures incurred to date. With the receipt of the respective reimbursement on February 25, 2021, the District has cash on hand for the paydown of the debt service incurred to temporarily fund these expenditures.

Furthermore, the District has committed to a reallocation of funding source of Plant No. 2 interim and permanent AOP treatment from the previously mentioned November 2019 bond anticipation note. To date approximately \$1.9 million of expenditures have been incurred for these two projects combined. All related payments have been funded through the Town of Oyster Bay as a drawdown on the bond anticipation note. As stated, the District has recently received reimbursement of \$1,639,266.75 for grant related expenditures incurred on the interim portion of this project. The District will remit payment to the Town of Oyster Bay to pay down on the funds temporarily financed through the bond anticipation. With the District's recent commitment to reallocate the original intended funding source to the fund balance assignment for future emerging contaminants for the related matching portion of the grant awarded funds, the District intends to repay the remaining \$269,862.17 of expenditures previously incurred and funded through the bond anticipation note for the two projects combined.

Ms. Scott reported that similar in nature to Plant No. 2, the District is considering the potential of a reallocation of funding source of Plant No. 3 interim AOP treatment from the previously mentioned November 2019 bond authorization to the capital improvement reserve. If committed, this will result in the District also remitting payment on the expenditures previously incurred through bond anticipation note and paying down the respective principal portion of debt incurred.

Ms. Scott reported that paydown of bond anticipation notes only occurs annually in March, and with advance notice to the Town of Oyster Bay with regard to principal amounts expected to be paid. Therefore, the District will hold the cash on hand to be used to pay future debt service until these annual payments become due. The District acknowledges the first paydown of principal will not be until March 2022.

Me. Scott recommended that in order to specifically identify, segregate and accumulate the funds mentioned to be used to paydown the debt service previously incurred, that the Board adopt the establishment of an assignment of fund balance for the purpose of funding future debt service. 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 debt service; and

WHEREAS, the Board of Commissioners deems it in the best interest of the District to open a new cash account with First National Bank of Long Island for the establishment of the newly adopted assignment of fund balance for the purpose of funding future debt service; and

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

WHEREAS, the Board of Commissioners deems it in the best interest of the District to transfer \$1,639,266.75 for Plant No. 2 interim AOP treatment expenditures incurred and temporarily financed through bond anticipation notes, then subsequently reimbursed through the 2019 Water Infrastructure Improvement Act grant from the District's capital projects cash account to the newly established assignment of fund balance for future debt service; and

WHEREAS, the Board of Commissioners deems it in the best interest of the District to transfer \$1,639,266.75 from Unassigned Fund Balance (A-0909-00-0000) to Fund Balance Assigned for Future Debt Service (A-0915-00-0001). The respective cash transfer will be made to the newly established Assigned Fund Balance for Future Debt Service cash account (A-0201-00-0006) from the Capital Projects cash account (H-0200-00-2000) as recommended based on financial analysis conducted by Ms. Scott; and

WHEREAS, the Board of Commissioners deems it in the best interest of the District to transfer \$232,962.17 for Plant No. 2 interim and permanent AOP treatment expenditures incurred and previously financed through bond anticipation notes from the District's unassigned fund balance to the newly established assignment of fund balance for future debt service; and

WHEREAS, the Board of Commissioners deems it in the best interest of the District to transfer \$232,962.17 from Unassigned Fund Balance (A-0909-00-0000) to Fund Balance Assigned for Future Debt Service (A-0915-00-0001). The respective cash transfer will be made to the newly established Assigned Fund Balance cash account (A-0201-00-0006) 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 debt service; 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 for the purpose of funding future debt service; 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 for the purpose of funding future debt service; and

BE IT FURTHER RESOLVED, that the Business Manager is hereby authorized, empowered and directed to transfer \$1,639,266.75 from Unassigned Fund Balance (A-0909-00-0000) to Fund Balance Assigned for Future Debt Service (A-0915-00-0001). The respective cash transfer will be made to the newly established Assigned Fund Balance cash account (A-0201-00-0006) from the Capital Projects cash account (H-0200-00-2000). The Business Manager will amend all necessary interfund transfer accounts as directed; and

BE IT FURTHER RESOLVED, that the Business Manager is hereby authorized, empowered and directed to transfer \$232,962.17 from Unassigned Fund Balance (A-0909-00-0000) to Fund Balance Assigned for Future Debt Service (A-0915-00-0001). The respective cash transfer will be made to the newly established Assigned Fund Balance cash account (A-0201-00-0006) from the Unappropriated/Undesignated cash account (A-0201-00-0004). The Business Manager will amend all necessary interfund transfer accounts as directed.

VOTE AYES: 3 NOES: 0 ABSTENTIONS: 0

Commissioner Laykind	AYE
Commissioner Bader	AYE
Commissioner Field	AYE