

Regular meeting of the Board of Commissioners of the Plainview Water District was held in the District office on Tuesday, May 10, 2022.

Present: Marc B. Laykind, Chairman  
Andrew Bader, Treasurer  
Amanda R. Field, Secretary  
Stephen Moriarty, Superintendent  
Dina Scott, Business Manager  
Bill Merklin, Engineer

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.

#### **STEPHEN MORIARTY'S REPORT:**

Supt. Moriarty reported that H2M architects + engineers has submitted a letter to the Nassau County Department of Health on behalf of the District to request permission to conduct a full-scale pilot test of Custom Municipal Reactivated (CMR) carbon at the Plant No. 1 treatment facility, specifically for Granular Activated Carbon (GAC) vessels. Supt. Moriarty reported this would result in a significant cost savings to the District as studies have proven there is no reduction in treatment performance utilizing reactivated carbon. Discussion took place and the Board requested Supt. Moriarty to provide a follow up upon receipt of response by the Nassau County Department of Health.

Supt. Moriarty reported that both the New York State and Nassau County Department of Health are conducting a site visit at District Plant No. 7 on May 12, 2022, at 2:00pm in order to perform an inspection of the District's Advanced Oxidation Process (AOP) treatment facility. Engineer Neri of H2M architects + engineers will also be present and assist Supt. Moriarty during this walk through. Discussion took place and the Board requested Supt. Moriarty to provide a report updating details of the visit upon completion.

Supt. Moriarty reported that the 2021 Annual Quality Water Report has been reviewed and approved by the Nassau County Department of Health.

Supt. Moriarty presented a map of sections of Old Bethpage where construction of curbs, aprons and paving are taking place by the Town of Oyster Bay. District employees are marking the affected valves and curb boxes.

Supt. Moriarty presented a quote provided by Rio Supply, Inc. requesting the purchase of one six inch compound meter and two R900 meter pit radios in the amount of \$7,058.00. The request to purchase the 6-inch meter is to provide to the POB School District. The meter will be paid with District funds and subsequently reimbursed by the POB School District. Supt. Moriarty reminded the Board that Rio Supply, Inc. is the sole source provider of Neptune meters which are standardized Districtwide. After discussion, the Board approved Supt. Moriarty's request. Furthermore, Ms. Scott reported that because this purchase is made for a third party and is fully reimbursable to the District, this transaction is deemed outside of the ordinary course of District business. Ms. Scott therefore requested a respective increase to the associated revenue and expenditure accounts which will result in an increase in total appropriations.

Account Code	Description	Total
A-8340-15-3500	Purchase of Meters	7,058.00
A-2144-00-0010	Construction Water Charges	(7,058.00)

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

RESOLVED, that the Board of Commissioners approves the following increase in total appropriations be made for the year ending December 31, 2022;

Account Code	Description	Total
A-8340-15-3500	Purchase of Meters	7,058.00
A-2144-00-0010	Construction Water Charges	(7,058.00)

Supt. Moriarty reported that eleven (11) bids were received on April 1, 2022 for the general construction of the Plant No. 7 permanent AOP treatment facility. Supt. Moriarty stated the respective low bidder was Phillip Ross Industries in the amount of \$1,070,000.00. Discussion took place regarding the alternate bids that took place. Alternate bid A was for construction of a masonry building, while alternate bid B was for the purchase and fabrication of a long term steel enclosure. Discussion took place and Supt. Moriarty and Engineer Merklin reported that the difference in price between the two alternates was less than 10%. Although the steel enclosure was less in cost, the contractor was unable to commit to the proposed construction timeline schedule due to the uncertainty of the lead time of the purchase of steel based on current economic conditions. Furthermore, there is a significantly longer useful life in the construction of a masonry building as opposed to the steel enclosure. Based on consideration of these facts, Supt. Moriarty and Engineer Merklin stated that construction of a masonry building was in the District's best interest. Supt. Moriarty reported that permanent construction of this Plant site will provide year-round operation as opposed to seasonal operation only. This bidder has successfully completed general construction contracts with the District in prior years. Therefore, Supt. Moriarty and Engineer Merklin recommend the District award the contract to the lowest responsible bidder, Phillip Ross Industries in the amount of \$1,070,000.00.

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

RESOLVED, that the Board of Commissioners approves the recommendation by Supt. Moriarty and Engineer Merklin of D&B Engineers and Architects to award the contract for the general construction of the Plant No. 7 permanent AOP treatment facility to Phillip Ross Industries in the amount of \$1,070,000.00.

Supt. Moriarty reported that five (5) bids were received on April 1, 2022 for the plumbing construction of the Plant No. 7 permanent AOP treatment facility. Supt. Moriarty stated the respective low bidder was Atlantic Wells, Inc. in the amount of \$619,000.00. This bidder has successfully completed plumbing construction contracts for neighboring districts. Therefore, Supt. Moriarty and Engineer Merklin recommend the District award the contract to the lowest responsible bidder, Atlantic Wells, Inc. in the amount of \$619,000.00.

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 Supt. Moriarty and Engineer Merklin of D&B Engineers and Architects to award the contract for the plumbing construction of the Plant No. 7 permanent AOP treatment facility to Atlantic Wells, Inc. in the amount of \$619,000.00.

Supt. Moriarty reported that six (6) bids were received on April 1, 2022 for the electrical construction of the Plant No. 7 permanent AOP treatment facility. Supt. Moriarty stated the respective low bidder was Palace Electrical Contractors, Inc. in the amount of \$364,000.00. Engineer Merklin reported that D&B Engineers and Architects has experienced dissatisfaction with this vendor as it relates to timeliness of job progress and completion on previous construction contracts with neighboring districts. Therefore, a pre-award meeting took place with Supt. Moriarty, Engineer Merklin and Palace Electrical Contractors, Inc to ensure that expectations and the timeliness of progress can be met. Commissioner Laykind requested that the minutes from the pre-award meeting be attached to the respective award letter. Therefore, Supt. Moriarty and Engineer Merklin recommend the District award the contract to the lowest responsible bidder, Palace Electrical Contractors, Inc. in the amount of \$364,000.00.

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

RESOLVED, that the Board of Commissioners approves the recommendation by Supt. Moriarty and Engineer Merklin of D&B Engineers and Architects to award the contract for the electrical construction of the Plant No. 7 permanent AOP treatment facility to Palace Electrical Contractors, Inc. in the amount of \$364,000.00.

Supt. Moriarty provided the Board with a memorandum of recommendation to engage D&B Engineers and Architects to conduct engineering construction administration, construction progress meeting, construction observation and start up and commissioning services for the construction of the Plant No. 7 permanent AOP treatment facility. Engineer Merklin reported that based on the proposal for said services provided by D&B Engineers

and Architects, amounts will be billed on an hourly basis as services are rendered in an amount not to exceed \$123,000.00.

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

RESOLVED, that the Board of Commissioners approves the proposal submitted by D&B Engineers and Architects to conduct engineering construction administration, construction progress meeting, construction observation and start up and commissioning services for the construction of the Plant No. 7 permanent AOP treatment facility at a cost not to exceed \$123,000.00.

Supt. Moriarty reminded the Board that the District is in receipt of the recently awarded 2021 Water Infrastructure Improvement Act grant award to assist with the funding of 60% of the Plant No. 7 AOP treatment facility project costs. Supt. Moriarty reported that this AOP project was allocated into two phases, an interim and a permanent phase. The interim phase is fully operational and enabled to the District to institute treatment in accordance with the time restrictions set forth by the NYS Department of Health regulation. Thereafter, a permanent treatment facility would then be constructed. Ms. Scott reported that total project costs for the Plant No. 7 permanent AOP treatment facility are \$2,317,000.00, of which \$1,390,200.00 is being funded by the 2021 WIIA grant award, leaving the District's respective matching portion of the project total is \$926,800.00. Ms. Scott reported that \$146,000.00 of District's respective matching portion has an already established funding designation from the District's fund balance assignment for emerging contaminants. Therefore, the remaining allocable amount to be funded by the District is \$868,400.00. It was previously resolved that the District would fund the Plant No. 7 permanent AOP treatment facility through bond anticipation notes issued by the Town of Oyster Bay. However, with a balance in the assignment of fund balance for the purpose of funding future emerging contaminants of approximately \$3,700,000.00, Ms. Scott recommends the District reconsider the previously designated funding source and commit to using these funds for the construction of the Plant No. 7 permanent AOP treatment facility. Discussion took place and the Board concurred with Ms. Scott's recommendation.

Motion made by Commissioner Laykind, seconded by Commissioner Bader, the below stated resolutions were adopted unanimously:

**WHEREAS**, the District commits to entering into construction for the Plant No. 7 permanent AOP treatment facility project which has an estimated total project cost of \$2,317,000.00; and

**WHEREAS**, the Board of Commissioners deems it in the best interest of the District to fund the District's respective matching portion of unfunded project costs of \$868,400.00 for the construction of the Plant No. 7 permanent AOP treatment facility project from fund balance assignment for emerging contaminants.

**WHEREAS**, the District is desirous of transferring \$868,400.00 from the Fund Balance Assignment for Emerging Contaminants Cash Account (A-0201-00-0005) to the Fund Balance Assignment for Emerging Contaminants Equity Account (A-0915-00-0000) for the purpose of funding the Plant No. 7 permanent AOP treatment facility project. Said cash transfers will be made to the Capital Projects Fund Cash Account (H-0200-00-0000); and

**WHEREAS**, 60% of the Plant No. 7 AOP treatment facility project costs will be funded through the 2021 Water Infrastructure Improvement Act grant award. The remaining funds would be appropriated from the fund balance assignment for emerging contaminants accounts without incurring any additional debt service payments for principal and interest and, therefore, be cost beneficial to the District taxpayers; and

**NOW THEREFORE,**

**BE IT RESOLVED THAT**, the Board of Commissioners authorizes entering into construction of the Plant No. 7 permanent AOP treatment facility project which has an estimated a total project cost of \$2,317,000.00: and

**BE IT FURTHER RESOLVED THAT**, the Business Manager is hereby authorized, empowered and directed to take all actions necessary and appropriate to effectuate the terms of this resolution as follows: Increase \$2,317,000.00 – Plant No. 7 Permanent AOP Treatment (H-8397-00-2071), increase \$1,390,200.00 – State Aid – 2021 WIIA Grant (H-3991-00-2030) and increase \$926,800.00 – Transfers In (H-5031-00-0000). The Business Manager will amend all necessary interfund transfer accounts as directed; and

**BE IT FURTHER RESOLVED THAT**, that the Business Manager is hereby authorized, empowered and directed to transfer \$868,400.00 from the Fund Balance Assignment for Emerging Contaminants Cash Account (A-0201-00-0005) by use of the Fund Balance Assignment for Emerging Contaminants Equity Account (A-0915-00-0000) for the purpose of funding the Plant No. 7 permanent AOP treatment facility project. Said cash transfer will be made to the Capital Projects Fund Cash Account (H-0200-00-0000); 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 appropriate through budget adjustments an increase to total appropriations to effectuate the terms of this resolution as follows: Increase \$868,400.00 – Operating Transfers Out - Fund Balance Assignment (A-9950-00-9200) and increase \$868,400.00) Appropriated Reserves (A-5032-00-0000).

VOTE: 3      AYES:            3      NOES:            0      ABSTENTIONS:      0

Commissioner Laykind	AYE
Commissioner Bader	AYE
Commissioner Field	AYE

**DINA M SCOTT'S REPORT – BUSINESS MANAGER:**

Ms. Scott requested Board approval and authorization to transfer funds to cover the following dental claim costs:

- Dental claims dated April 26, 2022 in the amount of \$1,536.41
- Dental claims dated May 6, 2022 in the amount of \$157.73

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 April 26, 2022 in the amount of \$1,536.41 and May 6, 2022 in the amount of \$157.73 and the Board authorized funds to be transferred into the District's dental benefit account.

Ms. Scott provided the Board with a copy of the Dental Claims Detail History Report for April 2022. After discussion, the report was ordered filed.

Ms. Scott reported that she recently attended a virtual seminar on the Low Income Household Water Assistance Program (LIWHAP) as presented by the Office of Temporary and Disability Assistance. Ms. Scott reported that she has received response to the series of inquiries she presented to the Office of Temporary and Disability Assistance in order to ensure her understanding of the program and the District's obligations within, if interested. The District would be required to enroll into the program as a vendor in order for residents to be able to participate. Ms. Scott provided the vendor agreement to the Board for their consideration. Discussion took place and the Board agreed that the District will elect to participate in the program and authorized Ms. Scott to execute the related vendor agreement on behalf of the District. Ms. Scott reported that she will discuss the related details with the office staff in order for them to communicate the program's availability to residential customers in potential need. Ms. Scott reported that she will work with ZE Creative Concepts to make the necessary updates to the District's website which will provide the program details and application information directly with the Office of Temporary and Disability Assistance.

Ms. Scott presented a Schedule of 2021 Budget Adjustments as processed in accordance with the District's Budget Transfer Policy. In addition, Ms. Scott presented Detail of Budget Adjustments to accompany and support each budget adjustment made as indicated in the Schedule of Budget Adjustments. After discussion, the report was ordered filed.

Ms. Scott presented a letter of authorization to close the existing cash account with First National Bank of Long Island for funds held in trust for the Beechwood Organization as it relates to the Country Pointe Country Pointe Phase II installation of water mains and appurtenances. Ms. Scott reported that the Board previously authorized closing this account on February 22, 2022, however, the respective letter of authorization could not be presented until the account balance was confirmed at \$0.00. After discussion, the Board executed said letter.

Ms. Scott reported that accounting procedures for the year ending December 31, 2021, identified that a budget adjustment was required for the previously approved reallocation in funding source for the Plant No. 3 AOP treatment project. Ms. Scott requested approval for an increase in total appropriations 2021 as it relates to the use of funds from the District's capital improvement reserve as appropriated in the general fund as the funding source for the Plant No. 3 AOP treatment project as previously approved. Use of these general fund appropriations were previously transferred to the respective capital project and results in an increase to total appropriations as indicated below;

<u>Account Code</u>	<u>Description</u>	<u>Total</u>
A-9950-00-9100	Operating Transfers Out-Capital Reserve	1,759,065.87
A-5032-00-0000	Appropriated Reserves	(1,759,065.87)

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

RESOLVED, that the Board of Commissioners approves the following increase in total appropriations be made for the year ending December 31, 2021;

<u>Account Code</u>	<u>Description</u>	<u>Total</u>
A-9950-00-9100	Operating Transfers Out-Capital Reserve	1,759,065.87
A-5032-00-0000	Appropriated Reserves	(1,759,065.87)

Ms. Scott reported that accounting procedures for the year ending December 31, 2021, identified that a budget adjustment was required for the previously approved reallocation in funding source for the Plant No. 2 AOP treatment project. Ms. Scott requested approval for an increase in total appropriations 2021 as it relates to the use of funds from the District's fund balance assignment for future emerging contaminants as appropriated in the general fund as the funding source for the Plant No. 2 AOP treatment project as previously approved. Use of these general fund appropriations were previously transferred to the respective capital project and results in an increase to total appropriations as indicated below;

<u>Account Code</u>	<u>Description</u>	<u>Total</u>
A-9950-00-9200	Operating Transfers Out-FB Assignment	269,862.17
A-5032-00-0000	Appropriated Reserves	(269,862.17)

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

RESOLVED, that the Board of Commissioners approves the following increase in total appropriations be made for the year ending December 31, 2021;

<u>Account Code</u>	<u>Description</u>	<u>Total</u>
A-9950-00-9200	Operating Transfers Out-FB Assignment	269,862.17
A-5032-00-0000	Appropriated Reserves	(269,862.17)

Ms. Scott presented a proposal issued by Edmunds GovTech for the Utility IVR service which enables customers to remit payment of their water bill via telephone processing system and integrates with the existing utility bill pay software. Ms. Scott reported that the cost of \$3,500.00 is a one-time fee for the software license, and the annual support services fee is \$639.00. Discussion took place and the Board presented a series of inquiries and requested Ms. Scott obtain additional information in order to further consider.



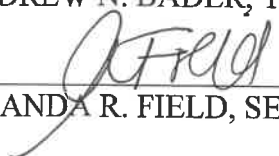
There being no further business to come before the Board, the meeting was adjourned with a call to the Chair at 7:45 pm.



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, May 10, 2022.

IN WITNESS WHEREOF, we have hereunto set our hands and affixed the seal of the Plainview Water District on this 7<sup>th</sup> day of June, 2022.

  
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MARC B. LAYKIND, CHAIRMAN  
  
\_\_\_\_\_  
ANDREW N. BADER, TREASURER  
  
\_\_\_\_\_  
AMANDA R. FIELD, SECRETARY