

Regular meeting of the Board of Commissioners of the Plainview Water District was held in the District office on Tuesday, October 18, 2022.

Present:        Marc B. Laykind, Chairman  
                  Andrew Bader, Treasurer  
                  Amanda R. Field, Secretary  
                  Dina Scott, Business Manager  
                  Michael Ingham, Attorney  
                  James Neri, Engineer  
                  Greg Gordon, ZE Creative Concepts  
                  Lola Rivera, ZE Creative Concepts

The meeting was called to order at 4:30 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 the meeting by congratulating Keith Fleming on his retirement. On behalf of the Board, he thanked Mr. Fleming for his thirty-six (36) years of service and dedication to the District and the Plainview community as a whole. The Board wishes Mr. Fleming all the best in his retirement and future endeavors.

#### **MICHAEL INGHAM'S REPORT – ATTORNEY:**

Attorney Ingham reported that the bond hearing for Plant No. 5 Emerging Contaminant Removal is scheduled for Tuesday, October 25, 2022, at 10:00am at the Town of Oyster Bay Town Hall.

Attorney Ingham reported that the 2023 fire hydrant agreements for the Plainview Fire Protection District and the Syosset Fire District have been presented to each of the respective parties for execution.

Attorney Ingham reported that he will be presenting at the special training of the Nassau Suffolk Water Commissioners Association on Wednesday, October 19, 2022 as it relates to water commissioner responsibilities and conducting public meetings.

#### **JAMES NERI'S REPORT – ENGINEER:**

Engineer Neri 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 District accepted bids for the Plant No. 4 Advanced Oxidation Process (AOP) and nitrate and perchlorate removal treatment facility early today. Bid tabulations are being prepared. Upon completion, he will report back to the Board with a recommendation of award.

Engineer Neri reported that construction is nearing completion at the Plant No. 2 permanent AOP treatment project. Water piping work is complete and electrical tie-ins are expected to be done by the end of this week. Once the interim treatment well is offline, completion of the permanent treatment facility can take place. At that time, the interim Granular Activated Carbon (GAC) vessels and AOP reactor will be relocated to be reused at Plant No. 5.

Engineer Neri reported H2M architects + engineers is completing their analysis of the drainage basins and alternate options at Plant No. 5 after meeting with Supt. Moriarty. The respective presentation to the Board is being prepared and consideration of a date and time will be forthcoming.

Engineer Neri reported that notice of award has been issued to National Wash Authority for the recently awarded proposal for pressure washing and cleaning the District's elevated storage tank. H2M architects + engineers is awaiting insurance documentation in order to schedule the work to be conducted. After discussion, Commissioner Laykind asked that Supt. Moriarty prepare a notification to residents of the immediate surrounding area in advance of the work taking place.

Engineer Neri reported that the bi-annual tank inspections took place earlier today as required by the Nassau County Department of Health. All comments within the report indicate that the tanks are structurally sound. The respective report will be prepared and provided to the District upon completion.

#### **GREG GORDON'S REPORT – PUBLIC INFORMATION FIRM:**

Greg Gordon presented a press release related to the District hosting its fifth annual pharmaceutical take back program for the Board's review and approval. The Board provided comments and approved for publishing upon the revisions being made.

Greg Gordon presented an email blast related to the District's fifth annual pharmaceutical take back program which is scheduled for Saturday, October 22, 2022. The Board provided comments and approved for sending upon the revisions being made.

Greg Gordon reported that the first draft of the fall 2022 newsletter text was submitted to the Board for review and approval. Discussion took place and the Board provided their comments and feedback. Greg Gordon reported that ZE Creative Concepts will now move forward to incorporate the comments and develop the layout for the District's review.

Greg Gordon discussed details as it relates to the administration of the District's fifth annual pharmaceutical take back program which is scheduled for Saturday, October 22, 2022.

**STEPHEN MORIARTY'S REPORT – SUPERINTENDENT (as presented by Ms. Scott):**

Ms. Scott presented a letter to the Board regarding request for an increase to the previously approved purchase order for additional engineering service incurred as it relates to the Plant No. 2 permanent AOP treatment project. The request for increase includes additional engineering services for construction administration, observation and progress meetings incurred due to the fact the project has extended beyond its anticipated completion date. Supt. Moriarty reported that the project extended beyond its anticipated completion date due to the fact that the District needed to continue to keep the existing interim treatment facility operational throughout the high pumpage season. The request for increase also includes additional engineering services for construction administration and observation and additional start-up and commissioning incurred due to additional work for the AOP skid redesign. Ms. Scott reported that a series of previous detailed discussions have taken place over recent weeks regarding this request by H2M architects + engineers for additional funds related to the Plant No. 2 permanent AOP treatment project in the amount of \$61,750.00. 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 the increase to the previously approved purchase order related to engineering services provided by H2M architects + engineers for the Plant No. 2 permanent AOP treatment project in the amount of \$61,750.00.

Ms. Scott reported that a funding source is required for the approval of the change order related to engineering services provided by H2M architects + engineers for the Plant No. 2 permanent AOP treatment project in the amount of \$61,750.00. Ms. Scott reported that the designated funding source for this project is the fund balance assignment for emerging contaminants. Ms. Scott recommended the District remain consistent with funding sources on a project by project basis and additional funds be designated accordingly. 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 the designation of the fund balance assignment for emerging contaminants as the funding source for the approved change order related to engineering services provided by H2M architects + engineers for the Plant No. 2 permanent AOP treatment project in the amount of \$61,750.00.

Ms. Scott presented a memorandum written by Supt. Moriarty requesting authorization to bid the following contracts that are set to expire for the year ending December 31, 2022; asphalt repair and maintenance, electrical maintenance, plumbing maintenance and emergency service and mark-out services. Ms. Scott recommended H2M architects + engineers prepare the bids for each of the mentioned contracts. Ms. Scott provided the Board with a proposal submitted by H2M architects + engineers in the amount of \$10,000.00 for the preparation of the aforementioned bids and contracts. Commissioner Laykind inquired with regard to the necessity of bidding the electrical maintenance contract based upon aggregate spending being under the procurement threshold whereby a bid would be required. Ms. Scott responded that she will conduct an analysis of recent year spending in order to assess the appropriateness. After discussion, it was concluded that due to the technical nature of each, the Board approved H2M architects + engineers proposal to prepare the bids for the asphalt repair and maintenance, plumbing maintenance and emergency service and mark-out service contracts in the amount of \$7,500.00 as the contracts are set to expire at year-end.

Ms. Scott presented a memorandum written by Supt. Moriarty as it relates to changes to the District's on-call/standby duty. Supt. Moriarty recommended in the interest of familiarizing the District's plant and distribution employees with our SCADA system and acknowledging alarm calls as part of the on-call duties, he requests the Board's approval to institute SCADA tasks for employees that assume the on-call/standby duty phone going forward. It was noted that the fall and winter months are the most appropriate time to begin to have employees involved with the District's SCADA operations as part of the on-call duties. Having multiple employees that have a working knowledge of SCADA would be beneficial to the District. It was further noted that working the weekends will come with taking the on-call phone home to monitor SCADA and take other emergency calls. With this added responsibility, Supt. Moriarty requested to increase the on-call/standby pay accordingly. Supt. Moriarty recommended changing the on-call/standby pay from \$150.00 each, per weekday and weekend, to a per diem rate of \$60.00 per day. After discussion and previous consideration, 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 the recommendation of Supt. Moriarty to provide District on-call/standby employees with the added responsibility of monitoring and acknowledging SCADA alarm calls as part of the on-call standby duties with a revised rate structure to a per diem rate of \$60.00 per day.

Ms. Scott reported that based on previous discussions and as a result of recent analysis, there is a need for consideration of interim AOP treatment at Plant No. 5. Engineer Neri recommended that concrete be poured for placement of an interim AOP skid and Granular Activated Carbon (GAC) vessels before the winter arrives and the ground freezes in order to ensure interim treatment is in place for the 2023 high pumpage season. An at length discussion took place regarding the necessity of interim treatment. It was noted that Plant No. 5 contains four wells and produces 40% of the District's total pumpage, making it the District's most critical plant site location for water distribution in the high pumpage

season in order to meet the pumping requirements of the increased/peak demand. Ms. Scott reminded the Board that the District is in receipt of the 2021 Water Infrastructure Improvement Act grant award to assist with funding of the project costs. Ms. Scott stated the District's responsible matching portion of this grant awarded project will be through general obligation bonds secured through the Town of Oyster Bay at the budget hearing that took place this morning. After at length discussion, the Board approved Supt. Moriarty's request and agreed to commencement of the construction of the Plant No. 5 interim AOP treatment facility. This interim treatment will make sure of the existing AOP reactor and GAC vessels repurposed from the Plant No. 2 interim treatment facility.

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

RESOLVED, that the Board of Commissioners approves the proposal submitted by H2M architects + engineers to conduct engineering design and support services for the construction of the Plant No. 5 interim AOP treatment facility at a cost of \$171,500.00.

Ms. Scott presented a memorandum written by Supt. Moriarty as it relates to a recommendation to increase the salary of the District's Supervisor of Water Plant Operations. Discussion took place regarding the justification behind Supt. Moriarty request and the increased assumption of responsibility taken on by said employee as a result of the recent retirement of the District's foreman after 36 years employed. Upon discussion, it was noted that the request for salary increase was commensurate with the significant increased responsibility assumed and the Board approved Supt. Moriarty's request for a salary increase to \$106,000.00 for the District's Supervisor of Water Plant Operations effective October 17, 2022.

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

Vendor check nos. 54800 through 54825 dated October 13, 2022 in the amount of \$87,272.96 were previously reviewed, approved and signed by the Board.

Capital project vendor check no. 10141 dated October 13, 2022 in the amount of \$400.00 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 October 11, 2022 in the amount of \$3,204.36

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 October 11, 2022 in the amount of \$3,204.36 and the Board authorized funds to be transferred into the District's dental benefit account.

Ms. Scott reported that petitions for the upcoming Water Commissioner Election are available for pick up, Wednesday, October 19, 2022 and due back on Thursday, November 10, 2022.

Ms. Scott reported that the District's annual Toys for Tots drive is scheduled to take place from November 1, 2022 through December 19, 2022. The Board of Commissioners unanimously agreed to support the District's participation in this charitable event.

Ms. Scott presented the potential financial impact on customers of anticipated future debt service costs to as it relates to the Plant No. 5 emerging contaminant treatment debt issuance. Ms. Scott reported that after deducting grant proceeds for this project, the maximum potential impact of future debt service to District customers is \$4.28 per month. Ms. Scott reported that these figures are based upon the District expending all of the approved bond funds which is unlikely, and therefore, the monthly debt service cost per customer is expected to be less.

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 requested the Board's approval to remove penalties assessed to 51 Country Drive in the amount of \$66.64 in accordance with District policy. The Board approved Ms. Scott's request. Ms. Scott also requested the Board's approval to adjust invoices for the customer at 3 Voohris Drive from \$129.30 to \$43.30 for the second quarter 2022 and \$552.40 to \$161.20 for the third quarter 2022. Discussion took place as to the reason behind the proposed adjustment. Ms. Scott reported that there was a user error by the District staff when the meter register was installed which required adjustment. After discussion and consideration, the Board approved Ms. Scott's request to adjust the second and third quarter 2022 invoices for 3 Voohris Drive to \$43.30 and \$161.20, respectively.

Ms. Scott provided the Board with a copy of the Treasurer's Report for the month ending September 30, 2022. In addition, to supplement and support the Treasurer's Report, Ms. Scott also provided the Board with the respective bank reconciliations as well as the schedule of collateralized deposits for all District cash accounts for the month ending September 30, 2022. After discussion, the reports were ordered filed.

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 September 30, 2022. After discussion, the report was ordered filed.

Ms. Scott presented a Schedule of 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. Based on Ms. Scott's analysis and after discussion with regard to the necessity of the proposed adjustments, Ms. Scott requested the following additional general fund budget transfers be made in excess of the Budget Transfer Policy limits;

Account Code	Description	Total
A-8310-30-4510	Engineering Services	25,000.00
A-8310-70-7700	Contingency	(10,000.00)
A-8310-50-2000	Computer Equipment	(10,000.00)
A-8310-30-4540	IT Services	(5,000.00)

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

RESOLVED, that the Board of Commissioners approves the following general fund budget transfer;

Account Code	Description	Total
A-8310-30-4510	Engineering Services	25,000.00
A-8310-70-7700	Contingency	(10,000.00)
A-8310-50-2000	Computer Equipment	(10,000.00)
A-8310-30-4540	IT Services	(5,000.00)

Ms. Scott presented a memorandum as it relates to procurement of professional retainer services provided by H2M Architects + engineers. After discussion, the memorandum was ordered filed. Ms. Scott presented the retainer agreement between the District and H2M Architects + engineers for the Board and Engineer Neri's execution. Said agreement was executed in duplicate and ordered filed.

Ms. Scott requested the Board sign the Payroll/Status Change Notice for the retirement of Keith Fleming effective October 13, 2022. The Payroll/Status Change Notice was approved and signed. Ms. Scott reported that Keith Fleming requested in accordance with District Policy No. 4.9 Annual Leave and Policy No. 4.15 Sick Leave, that the Board approve payment for unused annual and sick leave upon his retirement. Ms. Scott reported that payout of annual time accrued is in excess of 9 days and 7.75 hours of the amount granted as per the District's Employee Policy Manual, additional Board approval was requested. After discussion, the Board approved payment for all of Keith Fleming's unused annual and sick leave as of his retirement date October 13, 2022. Commissioner Laykind stated that it was in the interest of the District to grant Mr. Fleming's payout of time in excess of the District's policy limits as failing to do so would have resulted in his early departure from the District at a time where his services were needed as his replacement has not yet commenced employment.

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

RESOLVED, that the Board of Commissioners accepts the retirement of Keith Fleming effective October 13, 2022 and also approves payment for Keith Fleming's unused annual and sick leave as of his retirement date.

Ms. Scott presented a memorandum as it relates to the renewal of the postage mail lease machine lease. Discussion took place regarding the renewal of the existing postal mail machine as well as the folding machine and it was concluded that the District no longer has use for the folding machine. Returning the folding machine and not renewing the lease will resulting significant savings to the District. The Board requested Ms. Scott to obtain the respective lease agreement for review.

The NSWCA Meeting was held on Monday, October 17, 2022 at Palmer's in Farmingdale, NY at 6:30pm. The guest speaker was Jason Bergeron of Govolution. Commissioner Laykind, Commissioner Bader and Commissioner Field were in attendance.

The following board meetings were scheduled for November 2022:

- November 1<sup>st</sup> at 5:30 pm
- November 15<sup>th</sup> at 5:30 pm
- November 22<sup>nd</sup> at 5:30 pm - Additional Public Session at 7:00 pm
- November 29<sup>th</sup> at 5:30 pm

On the motion of Commissioner Laykind, seconded by Commissioner Bader, the Board went into Executive Session at 7:40 pm to discuss personnel and staffing. The Board emerged from Executive Session at 8:15 pm with minutes produced and action taken.

Supt. Moriarty requested the Board's approval to hire Franklyn Crowley as Water Service Supervisor. Supt. Moriarty also requested the Board sign the respective Payroll/Status Change Notice. Mr. Crowley will begin his employment with the District on Monday, November 7, 2022.

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

RESOLVED, upon the recommendation of Supt. Moriarty that the Board of Commissioners approves hiring Franklyn Crowley as Water Service Supervisor at an annual salary of \$110,000.00 to begin employment on Monday, November 7, 2022.

There being no further business to come before the Board, the meeting was adjourned with a call to the Chair at 8:45 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, October 18, 2022.

IN WITNESS WHEREOF, we have hereunto set our hands and affixed the seal of the Plainview Water District on this 30<sup>th</sup> day of November, 2022.

  
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MARC B. LAYKIND, CHAIRMAN

  
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ANDREW N. BADER, TREASURER

  
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AMANDA R. FIELD, SECRETARY