

Regular meeting of the Board of Commissioners of the Plainview Water District was held in the District office on Tuesday, January 24, 2023.

Present: Marc B. Laykind, Chairman  
Andrew Bader, Treasurer  
Michael A. Chad, Secretary  
Stephen Moriarty, Superintendent  
Dina Scott, Business Manager  
Michael Ingham, Attorney  
James Neri, Engineer  
Lola Rivera, 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 provided an update as to the status of the District's litigation against DOW Chemical.

Attorney Ingham reported that he has been working with Engineer Neri and the NYS Department of Labor (NYSDOL) to direct contractors to the prevailing wage rate schedule via the NYSDOL website rather than including a paper copy of the full PDF printed schedule of wage rates in future contract documents. This effort is based on the fact that as the wage rates are subject to change and the website will always have the most up-to-date version. Engineer Neri reported that he is in receipt of authorization from the NYSDOL to proceed as described in all future contracts. Said authorization was forwarded to the District for record keeping.

Attorney Ingham reported that he is working with Engineer Neri, Supt. Moriarty and Ms. Scott on development of a standardization resolution for hydrogen peroxide, maintenance, parts and equipment repairs provided by USP Peroxide.

#### **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 he assisted Supt. Moriarty with a successful walk through of the Plant No. 2 permanent Advanced Oxidation Process (AOP) treatment facility conducted by the NYS and Nassau County Departments of Health. Upon completion of their

assessment of the walk through, the previously submitted Completion of Works will be issued.

Engineer Neri reported that the construction kick off meeting for the Plant No. 4 AOP and nitrate and perchlorate removal treatment facility which took place on Thursday, January 19, 2022 was successful. Supt. Moriarty reported that construction will start with pulling and capping the Well 4-2 so that demolition to the well house can begin.

Engineer Neri reported that the Plant No. 5 Permanent Treatment Conceptual Workshop with H2M architects + engineers is scheduled for Wednesday, January 25, 2023 at 2:00pm. At this workshop, a discussion will take place regarding consideration of long-term treatment options.

Engineer Neri reported that four (4) bids were received this morning for the construction of the Plant No. 5, Well 5-3 interim treatment project. Engineer Neri stated the respective low bidder was RJ Industries, Inc. in the amount of \$622,700.00. This bidder has successfully completed similar construction contracts with neighboring Districts. Therefore, Engineer Neri recommends the District award the contract to the lowest responsible bidder, RJ Industries, Inc. in the amount of \$622,700.00.

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 H2M architects + engineers to award the contract for the construction of Plant No. 5, Well 5-3 interim treatment project to RJ Industries, Inc. in the amount of \$622,700.00.

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

Lola Rivera presented the February social media calendar for the Board's review and approval. The Board provided comments and approved for posting upon the revisions being made.

Lola Rivera presented an email blast for the Board's review and approval. The Board provided comments and approved for sending upon the revisions being made.

Lola Rivera presented a newly drafted fact sheet related to customer service line responsibilities for the Board's review and approval. The Board provided comments and requested an updated sheet upon the revisions being made.

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

Supt. Moriarty presented alkalinity levels District-wide for January 2023, noting levels are favorable.

Supt. Moriarty presented a map provided by the Town of Oyster Bay which notes roads intended to be repaved in 2023, and possible repaving in 2024.

Supt. Moriarty presented on a Notice of Violation (NOV) issued from the New York State Department of Health (NYSDOH) regarding the submission of the 2017 Emergency Response Plan (ERP) / Vulnerability Assessment (VA). It was noted via email provided by H2M architects + engineers that the NOV was issued in error due to the Nassau County Department of Health's failure to forward the report to the NYSDOH, as required. Engineer Neri reported that five additional districts were also impacted by this error. Discussion took place and Commissioner Laykind directed Supt. Moriarty to conduct frequent follow ups regarding this NOV being rescinded and to continue to keep the Board informed.

Supt. Moriarty presented a proposal submitted by H2M architects + engineers to conduct engineering construction administration, construction progress meeting, construction observation, part-time resident engineering, start up and commissioning services, as-builts and WIIA grant administration and compliance support for the AOP and nitrate and perchlorate removal treatment facility. Supt. Moriarty reported that based on the proposal for said services provided by H2M architects + engineers, amounts will be billed on an hourly basis as services are rendered in an amount not to exceed \$620,325.00 for the AOP/GAC portion of the project and \$611,250.00 for the nitrate and perchlorate removal portion of the project. Supt. Moriarty reminded the Board that total construction for the combined project is \$14,025,000.00 and that based upon analysis of similar costs incurred on previous projects, the amounts proposed are deemed reasonable and appropriate given the large and complex magnitude of this project. After discussion, the Board required additional time to further consider.

Supt. Moriarty requested the Board's approval for the purchase of two Jesco chlorine pumps from Eagle Control Corp. at a unit cost of \$2,575.00 each and a total cost of \$5,150.00. Supt. Moriarty reported that it is in the District's best interest to have chlorine pumps in stock for the upcoming high pumpage season. Supt. Moriarty reported that Eagle Control Corp. is the sole source supplier of Jesco pumps which are standardized throughout the District.

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

RESOLVED, that the Board of Commissioners approves the purchase of two Jesco metering pumps from Eagle Control Corp., the sole source supplier in the total amount of \$5,150.00.

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

Vendor check nos. 55133 through 55155 dated January 19, 2023 in the amount of \$186,629.93 were previously reviewed, approved and signed by the Board.

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 18 Colgate Drive and 89 Harvard Drive in the amount of \$56.76 and \$51.21, respectively in accordance with District

policy. The Board approved Ms. Scott's request. Ms. Scott requested the Board's approval to grant a three (3) month payment plan to 85 Main Parkway East for reasons discussed. Upon discussion, the Board approved Ms. Scott's request. Ms. Scott also requested the Board's approval to adjust the fourth quarter invoice for the customer at 1056 Old Country Road from \$601.80 to \$61.70. Discussion took place as to the reason behind the proposed adjustment. Ms. Scott reported that there was a manual reading error by the District staff when the meter was replaced and therefore requires adjustment. After discussion and consideration, the Board approved Ms. Scott's.

Ms. Scott presented a 2022 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 an at length 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 as well as an increase in total appropriations for a previously approved capital project funding transfer for the Plant No. 2 permanent AOP treatment facility;

Account Code	Description	Total
A-8340-15-3500	Purchase of Meters	47,000.00
A-8340-00-1000	Transmission and Distribution Salaries	(47,000.00)
A-9950-00-9200	Operating Transfer Out – FB Assignment	61,750.00
A-5032-00-0000	Appropriated Reserves	(61,750.00)

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

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

Account Code	Description	Total
A-8340-15-3500	Purchase of Meters	47,000.00
A-8340-00-1000	Transmission and Distribution Salaries	(47,000.00)
A-9950-00-9200	Operating Transfer Out – FB Assignment	61,750.00
A-5032-00-0000	Appropriated Reserves	(61,750.00)

Ms. Scott provided the Board with a copy of the Treasurer's Report for the month ending December 31, 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 December 31, 2022. After discussion, the reports were ordered filed.

Ms. Scott requested the Board's consideration of a transfer in the amount of \$20.54 from the District's operating cash account to the payroll cash account for cash flow purposes. After discussion, the Board approved Ms. Scott's request.

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

RESOLVED, that the Board of Commissioners approves the transfer in the amount of \$20.54 from the District's operating cash account to the payroll cash account.

**PUBLIC PARTICIPATION:**

Mr. Newler of 24 Joyce Road presented a series of inquiries. Discussion took place and the Board of Commissioners responded to Mr. Newler's inquiries.

There being no further business to come before the Board, the meeting was adjourned with a call to the Chair at 7:55 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, January 24, 2023.

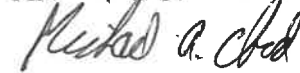
IN WITNESS WHEREOF, we have hereunto set our hands and affixed the seal of the Plainview Water District on this 1<sup>st</sup> day of February, 2023.



MARC B. LAYKIND, CHAIRMAN



ANDREW N. BADER, TREASURER



MICHAEL A. CHAD, SECRETARY