

Regular meeting of the Board of Commissioners of the Plainview Water District was held in the District office on Tuesday, February 7, 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  
                  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 presented the conformed contracts for the construction of the Plant No. 5, Well 5-3 interim treatment project to the Board for execution. Said contract was executed in triplicate and one copy will be forwarded to each respective vendor as well as H2M architects + engineers.

Attorney Ingham presented the conformed contracts for the annual mark-out utility maintenance contract to the Board for execution. Said contract was executed in triplicate and one copy will be forwarded to each respective vendor as well as H2M architects + engineers.

#### **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 comments have been received from the NYS and Nassau County Departments of Health as it relates to the submission of completed works for the Plant No. 2 permanent Advanced Oxidation Process (AOP) treatment facility. The contractors are actively working to address the comments provided in order to obtain completed works approval. Furthermore, control work on the facility is currently being completed.

Engineer Neri reported that the demolition will commence at the Plant No. 4 AOP, nitrate and perchlorate treatment facility the week of February 21, 2023. Supt. Moriarty reported that the week of February 13, 2023, AC Schultes will be on site to begin pulling and capping the Well 4-2 so that demolition to the well house can begin.

Engineer Neri reported that updates are being made to the Plant No. 5 permanent treatment conceptual design based on the recently attended workshop. Engineer Neri also reported that the Nassau County Department of Public Works has conceptually approved the District's drainage petition to "blow off" discharge to the northern basin near Melissa Road and Round Swamp Road.

Engineer Neri reported that the Plant No. 5, Well 5-3 interim treatment project schedule was provided to the awarded contractor RJ Industries, Inc. and the construction start date is being coordinated.

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

Greg Gordon presented a press release related to the District's preparedness for global supply chain issues for the Board's review and approval. The Board approved for publishing upon the revisions being made.

Greg Gordon presented a revised fact sheet related to customer service line responsibilities for the Board's review and approval. The Board provided comments and approved for posting to the District's website upon the revisions being made.

Greg Gordon reported that the recently approved email blast was distributed.

Greg Gordon reported that he would like to coordinate a date for the Spring newsletter kickoff workshop. The Board agreed to consider dates of availability.

Greg Gordon reported that all fact sheets have been updated on the District's website as presented on the new letterhead.

Commissioner Laykind reported that he was contacted the POB School District in order to coordinate the District's involvement and participation in STEM night. Greg Gordon agreed to follow up and report back to the Board upon obtaining additional details.

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

Supt. Moriarty provided the Board with a copy of the draft notification to be sent to customers located nearby Plant No. 4 to inform that construction will commence for the Plant No. 4 AOP and nitrate and perchlorate removal treatment facility. After discussion, the Board provided feedback and requested the revisions to the letter be made and resubmitted for their review and final approval.

Supt. Moriarty provided the Board with a request for water disconnections at 3 Kroll Street, 42 Surrey Lane and 15 Eaton Place. The Board approved Supt. Moriarty's request.

Supt. Moriarty presented a letter issued by the New York State Department of Health (NYSDOH) rescinding the erroneously issued Notice of Violation (NOV) regarding the submission of the 2017 Emergency Response Plan (ERP) / Vulnerability Assessment (VA).

Supt. Moriarty presented the Pumpage Report for the year ending December 31, 2022. Supt. Moriarty highlighted that the District's unaccounted for water was a historical low in his time here at 3.33%. The Board expressed their pleasure with the favorable results. After discussion, the report was ordered filed.

Supt. Moriarty provided the Board with an update on the service line inventory. A draft letter was presented for customers with indoor meters that require inspection. The Board provided comments and requested further review upon the revisions being made.

Supt. Moriarty presented a memorandum of recommendation for quotes obtained for the purchase of a jaw bucket clamshell attachment for the District's existing backhoe. Discussion took place as to the necessity and use of the piece of equipment. Four written quotes were secured with Hoffman Equipment providing the lowest quote for the purchase of the jaw bucket in the amount of \$8,520.00. Board approval was requested.

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

RESOLVED, that the Board of Commissioners awards the purchase of a jaw bucket clamshell attachment for the District's existing backhoe to Hoffman Equipment in the amount of \$8,520.00.

Supt. Moriarty presented an email correspondence received regarding a claim that the District's fence encroached on the property line of 2 Pound Ridge Road. Supt. Moriarty discussed this matter with Attorney Ingham and presented the Board with the respective survey, which clearly demonstrates that the fence is located on the District's property line. After discussion, the Board directed Supt. Moriarty to reply accordingly.

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

Vendor check nos. 55160 through 55181 dated January 26, 2023 in the amount of \$40,772.40 were previously reviewed, approved and signed by the Board.

Capital project vendor check no. 10154 dated January 26, 2023 in the amount of \$205,722.50 was previously reviewed, approved and signed by the Board.

Vendor check nos. 55186 through 55196 dated February 2, 2023 in the amount of \$70,322.33 were previously reviewed, approved and signed by the Board.

Capital project vendor check nos. 10155 through 10156 dated February 2, 2023 in the amount of \$16,378.14 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 January 24, 2023 in the amount of \$7,995.87
- Dental claims dated January 31, 2023 in the amount of \$3,283.12

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 January 24, 2023 in the amount of \$7,995.87 and January 31, 2023 in the amount of \$3,283.12 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 January 2023. After discussion, the report was ordered filed.

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 she had a meeting with the Town of Oyster Bay's fiscal advisors, the Town of Oyster Bay Director of Finance and other Town of Oyster Bay special district business managers to discuss upcoming debt issuances as well as consideration of converting Bond Anticipation Notes (BANs) to bonds vs. keeping issued debt BANs for the life of the borrowing. Details of the discussion were presented to the Board for their consideration.

Ms. Scott presented an email exchange with the Town of Oyster Bay Director of Finance regarding drawing down on previously authorized borrowings to meet the District's capital financing needs for the duration of the 2023 year. Discussion took place and the Board concurred with Ms. Scott's recommendation.

Ms. Scott reported that she is conducting a significant record purge of dated files in the basement. All documents are being reviewed against the Retention and Disposition Schedule for NYS Local Government Records (LGS-01). A complete listing will be provided for the Board's review and approval upon completion and before any files are destroyed.

Ms. Scott presented an email correspondence issued by the Nassau County Department of Public Works noting that the documentation previously submitted for the District's application for Coronavirus State and Local Fiscal Recovery Funds (CSLFRF), as provided for by the American Rescue Plan Act of 2021, has advanced to the final stage of review by the County Comptroller. Ms. Scott reported she will continue to keep the Board informed.

Ms. Scott reported that as authorized in the 2022 Annual Budget, the District has budgeted to transfer \$500,000.00 to the fund balance assignment for future emerging contaminants through expenditure appropriations. Ms. Scott therefore requested Board authorization to execute the transfer of \$500,000.00 from the unreserved/undesignated cash account to the fund balance assignment for future emerging contaminants cash account for the year ending December 31, 2022.

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

RESOLVED, that the Board of Commissioners approves transferring \$500,000.00 from the unreserved/undesignated cash account to the fund balance assignment for future emerging contaminants cash account for the year ending December 31, 2022 as previously adopted.

Ms. Scott reported that as authorized in the 2022 Annual Budget, the District has budgeted to transfer \$210,000.00 to fund capital projects through expenditure appropriations. Total amounts unexpended as of December 31, 2022 are \$186,575.00. Due to the fact the District committed to using these funds for capital expenditures, Ms. Scott recommends transferring the unexpended amount to the capital improvement reserve cash account to fund future capital improvements. Board authorization is requested to execute the transfer of \$186,575.00 from the unreserved/undesignated cash account to the capital improvement reserve cash account for the year ending December 31, 2022.

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

RESOLVED, that the Board of Commissioners approves transferring \$186,575.00 from the unreserved/undesignated cash account to the capital improvement reserve cash account for the year ending December 31, 2022.

Ms. Scott reported that in accordance with general accepted accounting principles, all interest earned in the capital projects fund derived from reserve/assigned funding sources should be transferred back to the respective reserve/assignment account. Therefore, Board approval was requested to transfer \$13,498.51 of interest earned for the year ending December 31, 2022 from the capital projects cash account to the fund balance assignment for future emerging contaminants cash account.

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

RESOLVED, that the Board of Commissioners approves the transfer of \$13,498.51 from the capital projects cash account to the fund balance assignment for future emerging contaminants cash account for interest earned for the year ending December 31, 2022.

The Board requested Ms. Scott to make arrangements for Commissioner Laykind, Commissioner Bader, Commissioner Chad and Supt. Moriarty to attend the AWWA Annual Conference and Exhibition held on June 11 - 14, 2023 at the Enercare Centre and Beanfield Centre in Ontario, Canada. The Board requested that lodging reservations be made from June 10 - 15, 2022 at the Toronto Marriot City Center which is in close proximity to the conference location center. Ms. Scott reported that the per diem rate for Toronto Marriot City Center exceeds the US Department of State foreign per diem rate of \$265.00. In accordance with the District's Travel Policy, the cost of lodging in excess of the maximum allowed per diem rate may be approved when lodging is unavailable at or below the maximum rate or lodging cannot be found reasonably close to the traveler's destination.

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

RESOLVED, that the Board of Commissioners approves lodging for Commissioner Laykind, Commissioner Bader, Commissioner Chad and Supt. Moriarty from June 10 - 15, 2023 at the Toronto Marriot City Center in Ontario, Canada at a per diem rate of \$329.00 which is in close proximity to where the conference is being held.

The Board requested Ms. Scott to make arrangements for Supt. Moriarty to attend the AWWA New York Water Event to be held on April 11 - 13, 2023 at the Saratoga Springs City Center. The Board requested that lodging reservations be made at the Saratoga Hilton which is the same venue in which the conference is being held. Ms. Scott reported that the per diem rate of the Saratoga Hilton exceeds the general services administration (gsa) rate of \$116.00. In accordance with the District's Travel Policy, the cost of lodging in excess of the maximum allowed gsa per diem rate may be approved when hotel stay is at the same location in which the convention/conference is being held.

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

RESOLVED, that the Board of Commissioners approves lodging for Supt. Moriarty from April 10 - 13, 2023 at the Saratoga Hilton which is the same hotel in which the conference is being held at a per diem rate of \$159.00 while attending the AWWA New York Water Event.

The Board requested Ms. Scott to make arrangements for Commissioner Laykind to attend the AWWA New Jersey Annual Conference to be held on March 21 - 23, 2023 at The Borgata Conference Center. The Board requested that lodging reservations be made from March 20 - 24, 2023 at The Borgata Hotel which is the same venue in which the conference is being held. Ms. Scott reported that the per diem rate of The Borgata Hotel exceeds the general services administration (gsa) rate of \$98.00. In accordance with the District's Travel Policy, the cost of lodging in excess of the maximum allowed gsa per diem rate may be approved when hotel stay is at the same location in which the conference is being held.

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

RESOLVED, that the Board of Commissioners approves lodging for Commissioner Laykind from March 20 – 24, 2023 at The Borgata Hotel which is the same hotel in which the conference is being held at a per diem rate of \$105.00 while attending the AWWA New Jersey Water Event.

Supt. Moriarty and Ms. Scott presented a memorandum regarding the District's standardization of US Peroxide maintenance, parts and equipment. At length discussion took place regarding the various reasons supporting Supt. Moriarty and Ms. Scott's recommendation. Ms. Scott reported that District's counsel confirmed that the General Municipal Law authorizes standardization of equipment when in the best interest of the District. In addition, Engineer Neri submitted a written memorandum to the Board recommending that the District standardize upon the US Peroxide maintenance, parts and equipment for the reasons stated.

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

Ms. Scott presented the quotes for the purchase of billing supplies and printing, folding and mailing quarterly invoices for the year 2023. Three written quotes were secured with Sir Speedy, Plainview providing the lowest quote for the purchase billing supplies and printing, folding and mailing quarterly invoices in the amount of \$15,618.50. 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 awards the purchase of billing supplies and printing, folding and mailing quarterly invoices for the year 2023 to the lowest total quote, Sir Speedy, Plainview for a total annual quote of \$15,618.50.

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, February 7, 2023.

IN WITNESS WHEREOF, we have hereunto set our hands and affixed the seal of the Plainview Water District on this 28<sup>th</sup> day of February, 2023.

  
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MARC B. LAYKIND, CHAIRMAN

  
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ANDREW N. BADER, TREASURER

  
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MICHAEL A. CHAD, SECRETARY



**EXCERPTS FROM THE MINUTES OF THE MEETING OF  
PLAINVIEW WATER DISTRICT OF FEBRUARY 7, 2023**

**STANDARDIZATION RESOLUTION FOR HYDROGEN PEROXIDE  
MAINTENANCE, PARTS AND EQUIPMENT FROM US PEROXIDE**

After discussion and due consideration, and upon motion duly seconded, it was resolved that the following preamble and resolution be adopted:

WHEREAS, on August 25, 2020, the District formally resolved that it is in its best interest to standardize its acquisition of the Trojan UV Flex 100, low pressure high output ultraviolet light and hydrogen peroxide Advanced Oxidation Process (AOP) process systems including the reactors, control panels, hydrogen peroxide feed systems and associated accessories; and

WHEREAS, the District currently operates six (6) Trojan UV Flex 100, low pressure high output ultraviolet light and hydrogen peroxide AOP systems (Trojan AOP system) with plans to complete the installation of two (2) more in 2023-2024; and

WHEREAS, the Trojan AOP system operates by using UV light and hydrogen peroxide to breakdown the contaminant 1,4-Dioxane to its basic components CO<sub>2</sub> and H<sub>2</sub>O; and

WHEREAS, the feeding of hydrogen peroxide is accomplished through the use of a designated storage tank and metering pump skid integrated and provided by Trojan Technologies Group ULC as a complete system; and

WHEREAS, the hydrogen peroxide parts of the system are provided to Trojan Technologies Group ULC through the services of a specialty hydrogen peroxide vendor - US Peroxide (USP); and

WHEREAS, beyond the simple supply of peroxide to the District, USP also provides the hardware necessary to operate the system; and

WHEREAS, USP has not only supplied the parts and equipment for the peroxide systems, it has also effectively performed the requisite maintenance thereon since the Trojan AOP systems have gone online; and

WHEREAS, USP provides this maintenance service as a value added to the District which is included in the cost of the hydrogen peroxide product itself; and

WHEREAS, on January 23, 2023, the H2M architects + engineers submitted a written memorandum to the Board (annexed hereto) recommending that the District standardize upon the USP hardware and maintenance service as this protocol would allow the District to:

- 1- achieve and maintain operational consistency;
- 2- permit the District's staff to familiarize themselves with the same USP equipment/maintenance service having similar controls and standard operating procedures (SOPs), thus simplifying both training and routine operations with respect to this specific technology thus minimizing operational errors;
- 3- secure and stock an inventory with uniform original equipment manufacturer (OEM) USP spare parts until replacement parts from alternate suppliers are verified to meet or exceed the treatment and operational goals established in the original equipment manufacturer products; and

WHEREAS, District's counsel informed the Board that the General Municipal Law authorizes standardization of equipment when in the best interest of the District:

NOW THEREFORE, under the authority vested in the District under General Municipal Law §103, Subdivision 5 and in consideration of the above recitals;

Be It Unanimously

RESOLVED, that it is in the best interest of the District to standardize its acquisition of USP hardware and maintenance for the Trojan UV Flex 100 low pressure AOP process systems.