

Regular meeting of the Board of Commissioners of the Plainview Water District was held in the District office on Tuesday, February 28, 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  
                  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 a suggestive communication fact sheet as it relates to the District's litigation against DOW Chemical.

Attorney Ingham reported that is working with Supt. Moriarty on compiling documentation requested as it pertains to the District's litigation against National Grid.

Attorney Ingham provided a schedule of acronyms frequently used as it relates to legal terminology within the water industry.

Attorney Ingham requested Ms. Scott submit the District's most recent procurement policy for his review based on consideration of a recent case study as it relates to requests for proposals for professional services.

#### **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 a construction progress meeting took place February 28, 2023, for the Plant No. 4 Advanced Oxidation Process (AOP) and nitrate and perchlorate treatment facility. H2M architects + engineers is in receipt of the proposed project timeline submitted by each of the awarded contractors. Upon review, a copy of said timeline will be provided to the District.

Engineer Neri reported that a construction progress meeting took place February 28, 2023, for the Plant No. 5, Well 5-3 interim AOP treatment project. Construction on the project continues.

Engineer Neri reported that H2M architects + engineers is preparing the engineering design proposal for the Plant No. 5 permanent emerging contaminant removal treatment facility based upon the previous discussions that have taken place.

Engineer Neri reported that H2M architects + engineers is preparing the District's Annual Water Quality Report based on the information provided by Supt. Moriarty. Said report is due to the Nassau County Department of Health by May 31, 2023.

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

Greg Gordon presented a press release related to reminding customers of the requirement to have their backflow prevention device tested for the Board's review and approval. The Board approved for publishing upon the revisions being made.

Greg Gordon requested coordination of a date for the Spring newsletter kickoff workshop. Upon discussion, the Board agreed to Wednesday, March 8, 2023 at 1:30pm.

Lola Rivera reported that the recently distributed email blast experienced a favorable 50.5% open rate. Greg Gordon reported that standard open rate for governmental entity email blasts is approximately 18%-20%. Discussion took place regarding additional resources the District could consider in obtaining additional customer email addresses.

Lola Rivera presented the March social media calendar for the Board's review and approval. The Board provided comments and approved for posting upon the revisions being made. Greg Gordon recommended consideration be given to boosting the backflow reminder post. Discussion took place and the Board concurred with Greg Gordon's recommendation.

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

Supt. Moriarty reported that delivery of the split faced block material at the Plant No. 7 Granular Activated Carbon (GAC) enclosure project is expected on Thursday, March 2, 2023. Masonry work will proceed immediately thereafter. The related project timeline and anticipated completion was discussed.

Supt. Moriarty reported that he has provided H2M architects + engineers with the information required for their compilation of the Annual Quality Water Report with exception of information he is awaiting to receive from Eurofins. Commissioner Laykind requested Supt. Moriarty to follow up with Eurofins to ensure the data is obtained timely.

Supt. Moriarty presented the Board with a change order to a previously approved purchase order to Construction Consultants of Long Island for additional work required on the Plant No. 2 permanent AOP treatment project. Discussion took place regarding the details of the additional work. The anticipated expense incurred by Construction Consultants of Long Island is \$3,016.00. Supt. Moriarty reported that the cost of the change order will be applied to the contingency line built into the contract, therefore, not increasing the total contract amount. After at length discussion, the Board approved the change order and requested Supt. Moriarty to sign and submit to the contractor.

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

Vendor check nos. 55260 through 55276 dated February 24, 2023 in the amount of \$79,063.98 were previously reviewed, approved and signed by the Board.

Capital project vendor check no. 10159 dated February 24, 2023 in the amount of \$33,129.83 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 February 21, 2023 in the amount of \$4,641.80

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 21, 2023 in the amount of \$4,641.80 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 reported the District's interest rate with Flushing Bank has been increased from 4.00% to 4.35%.

Ms. Scott reported the District's interest rate with First National Bank of Long Island has been increased from 3.97% to 4.35%.

Ms. Scott reported that the District is in receipt of \$50,000.00 from Nassau County as it relates to the American Rescue Plan Coronavirus Local Fiscal Recovery Fund Groundwater Conservation Program grant award. Ms. Scott reported that this reimbursable grant was awarded was for expenditures previously incurred as it relates to the engineering design of the Plant No. 2 permanent AOP treatment facility.

Ms. Scott reported the audit of the financial statements for the year ending December 31, 2022 will take place Monday, March 6, 2023 through Friday, March 10, 2023. Ms. Scott reported she is preparing the documentation required in order to complete the annual audit.

Ms. Scott presented a reconciliation of the changes in the District's fund balance for the year ending December 31, 2022 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 2023 adopted budget by appropriating \$1,300,000.00 to the assignment of fund balance for future emerging contaminants and \$500,000.00 to the capital improvement reserve cash account from the District's undesignated/unappropriated account. 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 approves transferring \$1,300,000.00 from the undesignated/unappropriated account into the District's assignment of fund balance for future emerging contaminants cash account and \$500,000.00 to the capital improvement reserve cash account for the year ending December 31, 2022 in order to reduce the unassigned fund balance to a target level of approximately 25% of the 2023 adopted budget.

Ms. Scott reported that the District received 1<sup>st</sup> half tax payment from the Town of Oyster Bay in the total amount of \$1,664,566.99 which includes a deduction of \$1,880,206.51 for debt service payments for the 1<sup>st</sup> half of 2023.

Ms. Scott reported that with receipt of the 1<sup>st</sup> half tax payment the operating account currently has a high balance. As the operating account does not earn interest, Ms. Scott requested Board approval to transfer \$1,500,000.00 into the District's undesignated/unappropriated interest bearing account.

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

RESOLVED, that the Board of Commissioners approves transferring \$1,500,000.00 from the operating account into the District's undesignated/unappropriated interest bearing account.

The LIWC Meeting was held on Monday, February 27, 2023 at Patrizas in Massapequa, NY at 6:00pm. The topic was electrical supply chain roadblocks. Commissioner Bader, Commissioner Chad, Supt. Moriarty and Ms. Scott were in attendance.

**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 7:15 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 28, 2023.

IN WITNESS WHEREOF, we have hereunto set our hands and affixed the seal of the Plainview Water District on this 14<sup>th</sup> day of March, 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