

Regular meeting of the Board of Commissioners of the Plainview Water District was held in the District office on Tuesday, June 6, 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.

Commissioner Laykind opened the meeting by stating that the Relay for Life community event took place on Saturday, June 3, 2023 and was well attended. The District provided water stations for the participants of the event.

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

Attorney Ingham reported that he is researching the District's obligation to maintain record of certain construction contractor documentation as requested through a recently received FOIL request. Discussion took place and Attorney Ingham stated that he will report back to the Board upon completion of his research.

Attorney Ingham reported that he has assisted Supt. Moriarty with a recently received FOIL request and contacted the requester to inform them that no such records have been found for the information required based on Supt. Moriarty's investigation. Supt. Moriarty reported that he has responded to the FOIL request formally in writing.

#### **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 general contractor has completed the remaining site work at the Plant No. 2 permanent Advanced Oxidation Process (AOP) treatment facility. Close out documentation for the general contractor is in progress as the project is now 100% complete.

Engineer Neri reported that construction continues to progress at the Plant No. 4 AOP, nitrate and perchlorate treatment facility. The general contractor is currently applying damp proofing of the exterior foundation walls and installing insulation board which are expected to be complete by the end of this week. Backfilling will commence upon completion. A construction progress meeting took place this morning and the next construction progress meeting is scheduled to take place Tuesday, June 20, 2023.

Engineer Neri reported that construction is coming to a close at the Plant No. 5, Well 5-3 interim AOP treatment project. Final punch list items have been provided to the general contractor in order to identify what is needed to bring the project to completion. The performance report is complete and was submitted to the Nassau County Department of Health for completed works approval as well as approval to place the well into service. Engineer Neri reported that he is in receipt of comments from the Nassau County Department of Health from the engineering plan review. H2M architects + engineers is preparing responses to the comments provided. Discussion took place regarding the nature of the comments received. The Board requested Engineer Neri to continue to keep them informed.

Engineer Neri reported that National Wash Authority, who was previously awarded to conduct power washing of the District's elevated storage tank is requesting scheduling of the service on June 14, 2023. Discussion took place, and due to the fact that landscaping recently completed at the Plant site is still growing in, it was concluded to wait until the fall to conduct the power washing so that no damage is done.

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

Greg Gordon presented a revised press release related to the finalists of the District's annual water conservation poster contest for the Board's review and approval. The Board provided comments and approved for publishing upon the revisions being made.

Greg Gordon reported that the June social media calendar posts have been scheduled.

Greg Gordon reported that he and Lola Rivera have been assisting and supporting Ms. Scott with preparations for the water conservation poster contest award ceremony which is scheduled to take place Wednesday, June 7, 2023. Details of the ceremony were discussed in preparation of the event.

Greg Gordon requested the Board's consideration of an email blast to be sent after the water conservation poster contest awards ceremony. Discussion took place and the Board requested Greg Gordon to prepare the email blast accordingly for their review.

Greg Gordon requested the Board's consideration of the timing of hosting a ribbon cutting ceremony to celebrate the opening of the Plant No. 2 AOP treatment facility. Discussion took place and the Board agreed to consider.

**STEPHEN MORIARTY'S REPORT - SUPERINTENDENT:**

Supt. Moriarty provided the Board with a request for water disconnection and availability at 14 Harvard Drive. The Board approved Supt. Moriarty's request.

Supt. Moriarty provided the Board with a request for water availability at 37 Woodway Road. The Board approved Supt. Moriarty's request.

Supt. Moriarty reported that samples from Plant No. 3 have been collected by the Nassau County Department of Health. Upon their approval, the Well located at this Plant site will be placed back into production.

Supt. Moriarty reported that he is reviewing the bi-annual tank inspection report prepared by H2M architects + engineers. Upon his review, he will submit a copy of the report to the Board.

Supt. Moriarty presented a draft customer notice for the Plant No. 4 Granular Activated Carbon (GAC) delivery scheduled to take place on Tuesday, June 27, 2023. A map was provided indicating the properties to receive said notification. Discussion took place and the Board agreed to review.

Supt. Moriarty presented a memorandum related to the District's requirement to conduct lead and copper sampling in accordance with requirements set forth by the Nassau County Department of Health. Discussion took place regarding the sampling process and communication of such. Supt. Moriarty presented the sampling request communication to be sent to the residential customers selected. The Board reviewed said letter and approved for mailing. The Board requested Supt. Moriarty keep them informed of the responses received.

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

Vendor check nos. 55596 through 55607 dated June 1, 2023 in the amount of \$85,258.98 were previously reviewed, approved and signed by the Board.

Capital project vendor check nos. 100012 through 100013 dated June 1, 2023 in the amount of \$142,775.50 were previously reviewed, approved and signed by the Board.

Ms. Scott presented for the Board's review and consideration an Environmental Facilities Corp. (EFC) grant status update. Discussion took place and the Board requested Ms. Scott continue to provide them with an updated document as deemed necessary.

Ms. Scott reported that in order for the District to be eligible for consideration of federal grant funding under the Bipartisan Infrastructure Law (BIL), resubmission of the prior year applications are required by June 16, 2023. Discussion took place and the Board requested Engineer Neri to prepare the resubmissions for Plant Nos. 3 and 4, as well as the first time submission for Plant No. 5.

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 an at length discussion with regard to the necessity of the proposed adjustments, Ms. Scott requested the following additional general fund budget transfer be made to increase total appropriations for the previously approved capital project funding transfer for the Plant No. 7 Granular Activated Carbon enclosure project;

<u>Account Code</u>	<u>Description</u>	<u>Total</u>
A-9950-00-9200	Operating Transfer Out – FB Assignment	1,318,247.96
A-5032-00-0000	Appropriated Reserves	1,318,247.96

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, 2023;

<u>Account Code</u>	<u>Description</u>	<u>Total</u>
A-9950-00-9200	Operating Transfer Out – FB Assignment	1,318,247.96
A-5032-00-0000	Appropriated Reserves	1,318,247.96

Ms. Scott reported that in order to adhere to current cash flow requirements she proposes the transfer of \$500,000.00 from the District's unreserved/undesignated account to its operating account. After discussion, the Board approved Ms. Scott's request.

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 \$500,000.00 from the District's unreserved/undesignated account to its operating account.

Ms. Scott reported that in order to adhere to cash flow requirements she proposes the transfer of \$5,000.00 from the District's operating account to its payroll account. After discussion, the Board approved Ms. Scott's request.

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 \$5,000.00 from the District's operating account to its payroll account.

Ms. Scott presented a memorandum of recommendation as it relates to consideration of investing the District's fund balance assignment for emerging contaminants with NYCLASS (New York Cooperative Liquid Asset Securities System). NYCLASS is a local government investment pool that allows municipal entities to pool funds together to collectively earn interest on investments. Ms. Scott reported that she has been monitoring interest rates with NYCLASS against those offered by the District's current investments with First National Bank of Long Island and Flushing Bank since December 2022. In that time, she has requested an increase in the District's interest rate with each financial institution to match, or nearly match that of NYCLASS. While the current investing institutions have not been able to grant the District with the same interest rate offered by NYCLASS, they have consistently granted the requests and come within .5% of the rate offered by NYCLASS. With an increase in reserve amounts as well as continuously climbing interest rates, Ms. Scott prepared and provided an analysis of the estimated difference in interest earnings through investments with the stated financial institutions, noting the difference warrants consideration. Ms. Scott then reported on the means of collateralization as well as the safety and security of investing funds with NYCLASS. At length discussion took place and Board approval was requested. The Board concurred with and approved Ms. Scott's recommendation and the stated resolution approving opening an investment account with NYCLASS was annexed hereto was adopted unanimously.

**PUBLIC PARTICIPATION:**




Mr. Newler of 24 Joyce Road presented a series of comments. Discussion took place and the Board of Commissioners acknowledged Mr. Newler's comments and agreed to take them under advisement.

There being no further business to come before the Board, the meeting was adjourned with a call to the Chair at 7:20 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, June 6, 2023.

IN WITNESS WHEREOF, we have hereunto set our hands and affixed the seal of the Plainview Water District on this 27<sup>th</sup> day of June, 2023.

  
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MARC B. LAYKIND, CHAIRMAN  
  
\_\_\_\_\_  
ANDREW N. BADER, TREASURER  
  
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MICHAEL A. CHAD, SECRETARY

**EXCERPTS FROM THE MINUTES OF THE MEETING OF  
PLAINVIEW WATER DISTRICT OF JUNE 6, 2023**

**NYCLASS MUNICIPAL COOPERATION RESOLUTION**

WHEREAS, New York General Municipal Law, Article 5-G, Section 119-o ("Section 119-o") empowers municipal corporations [defined in Article 5-G, Section 119-n to include school districts, boards of cooperative educational services, counties, cities, town and villages, and districts] to enter into, amend, cancel and terminate agreements for the performance among themselves (or one for the other) of their respective functions, powers and duties on a cooperative or contract basis;

WHEREAS, the Plainview Water District wishes to invest portions of its available investment funds in cooperation with other corporations and/or districts pursuant to the NYCLASS Municipal Cooperation Agreement Amended and Restated as of March 28, 2019;

WHEREAS, the Plainview Water District wishes to assure the safety and liquidity needs of their funds;

Now, therefore, it is hereby resolved as follows:

That Stephen Moriarty, Superintendent of the Plainview Water District is hereby authorized to participate in the NYCLASS program under the terms of the NYCLASS Municipal Agreement Amended and Restated as of March 28, 2019.

  
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Key Contact Signature

STEPHEN MORIARTY  
\_\_\_\_\_  
Printed Name

SUPERINTENDENT  
\_\_\_\_\_  
Title

6/8/23  
\_\_\_\_\_  
Date

  
\_\_\_\_\_  
Commissioner Signature

Marc Layfield  
\_\_\_\_\_  
Printed Name

Commissioner  
\_\_\_\_\_  
Title

6/10/23  
\_\_\_\_\_  
Date