

**Meeting of the Board of Water Commissioners
Of the Manhasset-Lakeville Water District
In the Town of North Hempstead
In the County of Nassau, New York
November 18, 2020**

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At a regular meeting of the Board of Water Commissioners of the Manhasset-Lakeville Water District, in the Town of North Hempstead, in the County of Nassau, New York, held at the Water District Office, 170 East Shore Road, Great Neck, New York, on November 18, 2020 at 4:00 pm (Prevailing time),

There were present:

Commissioner(s): Honorable Mark S. Sauvigne, Chairman of the
Board of Water Commissioners

 Honorable Steven Flynn, Water District
Treasurer

 Honorable Brian J. Morris, Water District
Secretary

Also present: Paul Schrader – Superintendent
Chris Prior – District Counsel
Joe Todaro – District Engineer
Village of Plandome Board of Trustees
Thomas Minutillo- Mayor
Don Richardson- Deputy Mayor
Dr. Robert Broderick- Trustee
James Corcoran- Trustee
John “Jake” Kurkjian- Trustee
Paul Pepper- Village Attorney

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Meeting called to order by the Chairman at 4:00 pm

Minutes of the previous meeting to stand approved by the Board.

Incoming and outgoing communications were considered by the Board.

The Village of Plandome Board of Trustees discussed current water rates and structures.

Superintendent Schrader provided documentation with the activities of the Water District for the current week. General discussions were held relating to the operation of the District as follows. Discussions were held on each project.

Munsey Tank	Zheng willing to sign, currently in China. Letter agreement for Yenicag ready to mail.
Valley Well rehabilitation	Project on hold pending USGS aquifer sustainability study.
Vepo Crossconnex	2272 out 4170 tests completed. RFP for testing under review
Shelter Rock #1 and #2	Full scale AOP design underway.
Searingtown	Both wells out of service for 1-4 dioxane. AOP Pilot study submitted to the NYSDOH.
Marcus Ave Water Main	Waiting on final invoice
Park Avenue Water Main	Bids opened, H2M to make recommendation of award. Budget transfers.
251 Searingtown	Advertisement date November 19, 2020 for the water main and booster station.
IU Willets	Well out of service for PFAS. GAC Plant in design
Eden	Project complete, station back in service.
Plandome Park	Waiting for signed IMA from VOPM. Agreement reached on quantities
Covid 19	Policy Review
PFAS	Litigation resolution
2020 Sanitary Survey	Response Letter

**RESOLUTION OF THE MANHASSET-LAKEVILLE WATER DISTRICT
RELATING TO APPROVAL OF CHECKS
ORGANIZATION NUMBER 1**

To the Treasurer:

I certify that the vouchers on the submitted check register were audited by the Board of Commissioners of the Manhasset-Lakeville WATER District on 11/18/20 and are allowed in the amounts shown. You are hereby authorized and directed to pay to each of the claimants the amount indicated on the opposite of his name.

Commissioner Morris
Manhasset-Lakeville Water District

Date: 11/18/2020

Commissioner Sauvigne proposed the following motion, seconded by Commissioner Flynn

WHEREAS the purchases for goods and services identified and presented to the Board of Commissioners this date, 11/18/20, have been found to be properly acknowledged as received or due, and have been audited according to the tenets of Town Law §176 (4a) and in compliance with the Procurement Policy of the Manhasset-Lakeville WATER District and,

WHEREAS, the audit of claims by the Board of Commissioners is a deliberate process to determine that the proposed payment is proper and just and satisfies the following criteria:

- The proposed payment is for a valid and legal purpose.
- The obligation was incurred by an authorized official.
- The goods or commodities for which payment is claimed were actually rendered.
- The obligation does not exceed the available appropriation.
- The claim is in proper form; it is mathematically correct; it meets legal requirements; it does not include any charges for taxes from which the organization is exempt; it includes discounts to which the organization is entitled it does not include charges previously claimed and paid; and it is in agreement with an attached invoice.

NOW, THEREFORE, it is hereby

RESOLVED to approve payment to the vendors identified on Check Number 9853 Thru Check Number 9853 this date.

The adoption of the foregoing Resolution (#W157-20) was duly put to a vote on roll call, which resulted as follows:

Ayes: Commissioner Morris, Commissioner Sauvigne, Commissioner Flynn
Nays: None

**RESOLUTION OF THE MANHASSET-LAKEVILLE WATER DISTRICT
RELATING TO APPROVAL OF CHECKS
ORGANIZATION NUMBER 8**

To the Treasurer:

I certify that the vouchers on the submitted check register were audited by the Board of Commissioners of the Manhasset-Lakeville WATER District on 11/18/20 and are allowed in the amounts shown. You are hereby authorized and directed to pay to each of the claimants the amount indicated on the opposite of his name.

Commissioner Morris
Manhasset-Lakeville Water District

Date: 11/18/2020

Commissioner Sauvigne proposed the following motion, seconded by Commissioner Flynn

WHEREAS the purchases for goods and services identified and presented to the Board of Commissioners this date, 11/18/20, have been found to be properly acknowledged as received or due, and have been audited according to the tenets of Town Law §176 (4a) and in compliance with the Procurement Policy of the Manhasset-Lakeville WATER District and,

WHEREAS, the audit of claims by the Board of Commissioners is a deliberate process to determine that the proposed payment is proper and just and satisfies the following criteria:

- The proposed payment is for a valid and legal purpose.
- The obligation was incurred by an authorized official.
- The goods or commodities for which payment is claimed were actually rendered.
- The obligation does not exceed the available appropriation.
- The claim is in proper form; it is mathematically correct; it meets legal requirements; it does not include any charges for taxes from which the organization is exempt; it includes discounts to which the organization is entitled it does not include charges previously claimed and paid; and it is in agreement with an attached invoice.

NOW, THEREFORE, it is hereby

RESOLVED to approve payment to the vendors identified on Check Number 1398 Thru Check Number 1399 this date.

The adoption of the foregoing Resolution (#W158-20) was duly put to a vote on roll call, which resulted as follows:

Ayes: Commissioner Morris, Commissioner Sauvigne, Commissioner Flynn
Nays: None

**RESOLUTION OF THE MANHASSET-LAKEVILLE WATER DISTRICT
RELATING TO APPROVAL OF CHECKS
ORGANIZATION NUMBER 1**

To the Treasurer:

I certify that the vouchers on the submitted check register were audited by the Board of Commissioners of the Manhasset-Lakeville WATER District on 11/18/20 and are allowed in the amounts shown. You are hereby authorized and directed to pay to each of the claimants the amount indicated on the opposite of his name.

Commissioner Morris
Manhasset-Lakeville Water District

Date: 11/18/2020

Commissioner Sauvigne proposed the following motion, seconded by Commissioner Flynn

WHEREAS the purchases for goods and services identified and presented to the Board of Commissioners this date, 11/18/20, have been found to be properly acknowledged as received or

due, and have been audited according to the tenets of Town Law §176 (4a) and in compliance with the Procurement Policy of the Manhasset-Lakeville WATER District and,

WHEREAS, the audit of claims by the Board of Commissioners is a deliberate process to determine that the proposed payment is proper and just and satisfies the following criteria:

- The proposed payment is for a valid and legal purpose.
- The obligation was incurred by an authorized official.
- The goods or commodities for which payment is claimed were actually rendered.
- The obligation does not exceed the available appropriation.
- The claim is in proper form; it is mathematically correct; it meets legal requirements; it does not include any charges for taxes from which the organization is exempt; it includes discounts to which the organization is entitled it does not include charges previously claimed and paid; and it is in agreement with an attached invoice.

NOW, THEREFORE, it is hereby

RESOLVED to approve payment to the vendors identified on Check Number 9845 Thru Check Number 9871 this date.

The adoption of the foregoing Resolution (#W159-20) was duly put to a vote on roll call, which resulted as follows:

Ayes: Commissioner Morris, Commissioner Sauvigne, Commissioner Flynn
Nays: None

Resolution authorizing Litigation re: PFAS

WHEREAS, the Board of Commissioners has retained the law firm of Sher Edling as special counsel, by previously adopted Board resolution, in connection with potential claims against third parties relating to possible contamination of Water District well sites from emerging contaminants known as PFAS, and related materials; and

WHEREAS, Sher Edling has advised the Board that it has identified a reasonable basis to conclude that certain of the District's wells contain PFAS and related emerging contaminants, and to identify potentially responsible parties, and has recommended that the District commence litigation against such parties to address damages incurred and/or to be incurred resulting therefrom; and

WHEREAS, the Board has determined that the best interests of the District and its taxpayers are served by pursuing third parties potentially responsible for contamination of District wells through litigation, to protect District resources, as well as District residents and taxpayers, in order to have the cost of remediation borne by responsible parties;

NOW, THEREFORE, it is hereby

RESOLVED, that the Board of Commissioners for the reasons set forth above, hereby authorizes the commencement of litigation on behalf of the District by special counsel Sher Edling, in the forum(s), against the defendant(s), identified by Sher Edling with respect to PFAS contamination of District wells and infrastructure.

Resolution ratifying Litigation re: 1,4-dioxane

WHEREAS, the Board of Commissioners has retained the law firm of Sher Edling as special counsel, by previously adopted Board resolution, in connection with potential claims against third parties relating to possible contamination of Water District well sites from emerging contaminants known as 1,4-dioxane; and

WHEREAS, Sher Edling previously advised the Board that it has identified a reasonable basis to conclude that certain of the District's wells contain 1,4-dioxane and related emerging contaminants, and to identify potentially responsible parties, and has recommended that the District commence litigation against such parties to address damages incurred and/or to be incurred resulting therefrom; and

WHEREAS, the Board previously determined that the best interests of the District and its taxpayers are served by pursuing third parties potentially responsible for contamination of District wells through litigation, to protect District resources, as well as District residents and taxpayers, in order to have the cost of remediation borne by responsible parties; and

WHEREAS, Sher Edling has commenced such litigation on behalf of the District, but District personnel have advised the Board that the minutes of prior meetings of the Board have been reviewed, and a Board resolution authorizing litigation relating to 1/4-dioxane has not been located;

NOW, THEREFORE, it is hereby

RESOLVED, that the Board of Commissioners for the reasons set forth above, hereby ratifies and confirms its prior authorization of the commencement of litigation on behalf of the District by special counsel Sher Idling, in the forum(s), against the defendant(s), identified by Sher Edling with respect to 1,4-dioxane contamination of District wells and infrastructure.

The adoption of the foregoing Resolution (#W160-20) was duly put to a vote on roll call, which resulted as follows:

Ayes: Commissioner Morris, Commissioner Sauvigne, Commissioner Flynn
Nays: None

RESOLUTION OF THE MANHASSET-LAKEVILLE WATER DISTRICT RELATING TO APPROVAL OF EXPENDITURES

Commissioner Morris proposed the following motion, seconded by Commissioner Sauvigne

WHEREAS, the purchase of goods and services identified and presented to the Board of Commissioners this date, 11/18/20 have been found to be properly acknowledged as requested expenditures, according to the Procurement Policy of the Manhasset-Lakeville Water District,

NOW, THEREFORE, it is hereby

RESOLVED to approve purchase to the vendors identified on Board of Commissioners Expenditure Request form submitted to the Board by the Superintendent as follows

Approval of Expenditures:

VENDOR	DESCRIPTION	AMOUNT	BUDGET NUMBER	PURCHASE SUPPORT
H2M	Fee increase to include utility markout services at Shelter Rk Station as part of the proposed survey work for the AOP project.	\$2,000.00	8310.451.0	PS
	TOT. AMT. REQ.	\$2,000.00		

The adoption of the foregoing Resolution (#W161-20) was duly put to a vote on roll call, which resulted as follows:

Ayes: Commissioner Flynn, Commissioner Sauvigne, Commissioner Morris

Nays: None

There was no board correspondence.

Meeting adjourned at 6:00 pm. I hereby certify the aforementioned is a true and exact copy of the Minutes of Meeting held on November 18, 2020.

Brian J. Morris, Secretary

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