

**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
June 16, 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 June 16, 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

* * *

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.

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	Fence stake letter sent. Heard back from 427 Park Ave. Requested another copy of agreement.
Valley Well rehabilitation	Original agreement term of 6 months is over. Received a \$6,000 invoice for June. Made a request for a renegotiated rate due to delays caused by Covid 19. Heard from Redland.
Vepo Crossconnex	956 out 4141 tests completed.
Shelter Rock #1 and #2	Full scale AOP design underway.
Searingtown	AOP plant in preliminary design.
Plandome Park	H2M to recommend a final payment less liquidated damages. JT to discuss.
Bond	Public Hearing is set for June 30, 2020 at 7:00 pm. Advertisement in paper June 11, 2020. Postcard set to mail June 19, 2020. Advertisement and bond report put on our website.
Marcus Ave Water Main	Project underway. Merrick staging material and equipment at Police barracks.
Park Avenue Water Main	In Design.
Lead and copper Rule	Letters sent. Program is underway.
Searingtown Well #1	Waiting for quote for new column piping and pump.
Mary Jayne	Status update, July 9 th day zero.
New truck	Old standby pickup, truck #8, to be replaced with a Ford Transit cargo van. (Danny Fonal). Approximately 50k before lights.

**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 6/16/20 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: 6/16/20

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, 6/16/20, 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 9384 Thru Check Number 9399 this date.

The adoption of the foregoing Resolution (#W94-20) 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 6/16/20 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: 6/16/20

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, 6/16/20, 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 1369 Thru Check Number 1370 this date.

The adoption of the foregoing Resolution (#W95-20) was duly put to a vote on roll call, which resulted as follows:

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

Superintendent Paul Schrader informed the Board of the Emergency Repairs at the Searingtown Well #1:

Memo

To: The Board of Commissioners
From: Paul J. Schrader, P.E.
Re: Searingtown Well # 1, Emergency Repairs
Date: June 16, 2020

Last week the production from our Searingtown Well # 1 unexpectedly dropped from 1300 gpm to 500 gpm. The well was immediately taken off line.

A.C. Schultes was called in to pull the pump and column to determine the cause. They found the column piping to be severely corroded and on the brink of catastrophic failure. They discovered a large hole in the column pipe that caused the drop in production. While the pump was out, we had them conduct a TV inspection of the well. The inspection showed excessive material in the sump and excessive build up on the screen.

In order to get the well back in service the sump and screen will need to be cleaned and a new column pipe and pump installed. Since we are approaching the heart of pumping season, are already down a well, and have emerging contaminant issues, I recommend proceeding with the repair on an emergency basis. This will allow us to get the well back in service as soon as possible. The estimated repair cost is \$130,000.

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, 6/16/20 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
Core & Main	50-3/4 Ipearls & 50 1" Ipearls	\$15,000.00	8310.250.0	AC
A.C Schultes	Emergency- Pump & column repairs Searingtown #1	\$130,000.00	8310.300.0	EP
	TOT. AMT. REQ.	\$145,000.00		

The adoption of the foregoing Resolution (#W96-20) was duly put to a vote on roll call, which resulted as follows:

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

Board of Commissioners of the
Manhasset-Lakeville Water District
Resolutions Adopted June 16, 2020:

SEQRA Negative Declaration Resolution; Project and Bond Petition Authorizing Resolution

After discussion, upon motion duly made by Chairman Sauvigne, and seconded by Commissioner Flynn, the Board of Commissioners (the "Board") of the Manhasset-Lakeville Water District (the "District"), unanimously adopted the following resolution on this 16th day of June, 2020.

BE IT RESOLVED, that:

1. WHEREAS, this Board has determined that, in order to meet existing and anticipated potable water supply demands of the District's residents and customers, and to meet or exceed current and proposed water quality standard regulations, the District must undertake certain capital improvements and extensions to its facilities; and

2. WHEREAS, the New York State Department of Health ("DOH") has proposed Maximum Contaminant Levels ("MCLs") with respect to certain emerging contaminants, which may become effective imminently; the emerging contaminants are 1,4-dioxane, perfluorooctanoic acid (PFOA) and perflourooctane sulfonate (PFOS); and

3. WHEREAS, while there is no currently effective federal or New York State drinking water standard, or MCL, for any of 1,4-dioxane, PFOA or PFOS, under United States Environmental Protection Agency ("EPA") rules, certain public water suppliers must undertake sampling for unregulated contaminants;

4. WHEREAS, District sampling of certain of its wells have detected the presence of one or more of such emerging contaminants, and while the NYS DOH is expected to impose MCL's for 1,4-dioxane, PFOA or PFOS imminently, it also is expected to adopt a 3 year deferral period to permit municipal water suppliers sufficient time to install treatment systems to address the presence of such emerging contaminants at levels that exceed the MCL's; and

5. WHEREAS, the District Board received from H2M architects + engineers, consulting engineers to the District (the "Engineer"), an Engineering Report dated May 2020 (hereinafter, the "Engineer's Report"), identifying five (5) projects designed to address the needs of the District described above (collectively, the "Projects"); such Projects, as more particularly described in the Engineer's Report are: (i) Advanced Oxidation Processes (AOP)/Nitrate treatment and well improvements at the District's Shelter Rock Road Plant; (ii) AOP treatment and well improvements at the District's Searingtown Road Plant; (iii) wellhead treatment for PFOA and PFOS at the District's IU Willets Plant; (iv) new ground storage tank at Parkway Plant; and (v) identification, design and development of a new water supply well and wellhead treatment site; and

6. WHEREAS, the Board after consulting with the Engineer and McLaughlin & Stern, LLP, legal counsel to the District ("District Counsel"), has determined that the Projects are either unlisted actions, or Type II actions under the New York State Environmental Quality Review Act ("SEQRA"), and rules and regulations promulgated by the New York State Department of Environmental Conservation ("NYS DEC") thereunder ("SEQRA Rules"); and

7. WHEREAS, although no additional action must be taken by the District Board under the SEQRA Rules with respect to those Projects that are Type II actions, the Board treated each of the Projects as an unlisted action, and had the Engineer prepare Short Environmental Assessment Forms with respect to each, and assist the District Board in analyzing each Project under SEQRA; and

8. WHEREAS, the Board has conducted an uncoordinated review of the Projects, and as lead agency has determined to make a negative declaration under SEQRA with respect to each of the Projects; and

9. WHEREAS, the Engineer estimates, in the Engineer's Report, that the aggregate maximum cost of the Projects, including hard and soft costs, is \$42,927,000; and

10. WHEREAS, the Board has determined to accept the recommendations contained in the Engineer's Report to undertake the Projects, as well as the estimates of associated costs and expenses relating thereto; and

11. WHEREAS, pursuant to NYS Town Law Section 202-b, the District seeks from the Town Board of the Town of North Hempstead, approval of the Projects, and the Town's commitment, under the New York State Local Finance Law, to finance the Projects through issuance by the Town of its serial bonds and bond anticipation notes in an estimated maximum principal amount of \$42,927,000; and

12. WHEREAS, the Board has been awarded grants by the New York State Environmental Facilities Corporation ("NYS EFC"), under the NYS Water Infrastructure Improvement Act, aggregating \$13,985,700, for the AOP systems at the District's Searingtown Road and Shelter Rock Road plants, subject to certain conditions, including adoption by the Town Board of a bond resolution for the financing of such projects; such grant moneys, if and when received by the District, will reduce the amount of the proposed Town borrowing needed by the District to undertake and complete the Projects; and

13. WHEREAS, to ensure available funding to enable the District to satisfy all obligations that it incurs with respect to the Projects when same become due, recognizing that certain of such obligations may become due prior to the availability to the District of NYS EFC grant proceeds, the District, pursuant to the Petition, will request that the Town approve the Projects, and authorize up to \$42,927,000 in Town bond financing for the Projects, which, to the extent actually required, would be a District obligation; and

14. WHEREAS, the authorization of \$42,927,000 in Town bond financing for the Projects would exceed the actual District need for Town bond proceeds to fund the Projects to the extent that the District satisfies all conditions to, and obtains, the NYSEFC grant proceeds described above; and

15. WHEREAS, the District, like other public water suppliers, has initiated a federal lawsuit in the Eastern District of New York, against certain parties potentially responsible for the presence in District water supply sources of some of the emerging contaminants described above, and any recovery by the District in such litigation against responsible parties would be available to the District to pay down the indebtedness that is the subject of the contemplated Petition; and

16. WHEREAS, the report prepared for the District by the Engineer includes the potential fiscal impact of the Projects on the District and owners of assessed property within the District and

17. WHEREAS, to facilitate the availability of Town Bond financing for the Projects at the earliest opportunity, in response to advice by the Town to the District of departures in normal Town borrowing calendars attributable to disruptions created by the Covid-19 pandemic, the District has submitted this Petition prior to its holding a public hearing (the “District Public Hearing”) concerning the proposed Projects; and

18. WHEREAS, the District Board proposes to schedule the District Public Hearing, to be conducted remotely via “Zoom”, on June 30, 2020 (local governments in the State of New York are prohibited from conducting in person public hearings through July 7, 2020, by Executive Order 202.15, as amended, issued by Governor Cuomo);

NOW, THEREFORE, the Board of Commissioners of the District hereby determines as follows:

1. Each of the Projects identified in the Engineer’s Report is either an unlisted action or a Type II action for purposes of SEQRA, as to each of which the Board has reviewed a Short Environmental Assessment Form, and supporting documentation and information provided by the Engineer and the District staff.

2. The Board hereby makes a negative declaration under SEQRA with respect to each Project, and the Chairman, or any Board member, is authorized to sign a Negative Declaration with respect thereto in the form prepared by the Engineer.

3. It is in the best interests of the residents and property owners of the District to undertake, at this time, the Projects described in the Engineer’s Report, at an estimated maximum principal amount of \$42,927,000, consisting of hard and soft costs and contingencies, to be financed with proceeds of a bond financing by the Town of North Hempstead in the maximum principal amount of \$42,927,000.

4. It is in the best interests of the residents and property owners of the District to petition the Town Board of the Town of North Hempstead to approve the improvements and extensions comprising the Project, to finance \$42,927,000 of the cost of said improvements and repairs by the issuance of serial bonds and bond anticipation notes, while continuing to take all actions necessary or appropriate in order to obtain the EFC grants described hereinabove as an additional source of funding for the Project. The Chairman, or any Board member, is authorized to sign the form of Petition to the Town Board of the Town of North Hempstead in the form prepared by the Attorney for the District.

5. The Board hereby authorizes, ratifies and confirms the scheduling of the District Public Hearing, to be conducted remotely via “Zoom”, on June 30, 2020, in light of the fact that local governments in the State of New York are prohibited from conducting in person public hearings through July 7, 2020, by Executive Order 202.15, as amended, issued by Governor Cuomo, and in order to accommodate the Board’s obligation to satisfy Town policy regarding the conducting of special district hearings in conjunction with Town

Board hearings relating to special district projects being authorized pursuant to Town Law Section 202-b.

6. The Board members and the Superintendent are hereby authorized to take such actions, and to execute and deliver such documents and instruments, as they deem necessary or appropriate in order more fully to effectuate the purposes and intent of the actions approved by this Resolution.

The vote on the foregoing Resolution W97-20 was as follows:

M. Sauvigne, Chairman:	Aye
S. Flynn, Treasurer:	Aye
B. Morris, Secretary:	Aye

A copy of this Resolution will be forwarded to the Town of North Hempstead.

Board of Commissioners, MLWD

M. Sauvigne, Chairman

The board was in receipt of and discussed the information contained in the memo from Superintendent Paul Schrader regarding the emergency repairs at Searingtown Well #1.

Meeting adjourned at 5:00 pm. I hereby certify the aforementioned is a true and exact copy of the Minutes of Meeting held on June 16, 2020.

Brian J. Morris, Secretary

:mjd