

March 2, 2022

A regular meeting of the Board of Commissioners of the Port Washington Water District was held at the District offices located at 38 Sandy Hollow Road, Port Washington, New York, on Wednesday, March 2, 2022 at 8:00am.

PRESENT: COMMISSIONERS:

David Brackett, Chairman
Peter Meyer, Secretary
Mindy Germain, Treasurer

Italo Vacchio, Superintendent
William DeWitt, Attorney
Michael Savarese, P.E., Engineer
Michelle Handley, Office Manager
Jasper Skliba, Forman

Also Present: Gary Cucchi, PMG
Melissa Argueta, PMG
Brandon Kurz, Resident
Francine Furtado, Resident

The meeting was called to order by David Brackett, Chairman of the Board of Commissioners, with the Pledge to the flag.

Minutes for the meeting held on February 23, 2022 were read and approved.

The Board further reviewed the District's account balances as follows as of March 2, 2022:

General Checking	\$2,751,470.41
Money Market	\$28,650.92
Tap Fee Account	\$39,936.49
Repair Reserve Equipment	\$187,167.26
Repair Reserve Bldg. & Grounds	\$212,797.68

Jasper Skliba reported on the following:

1. Employee Richard Zimbardi is scheduled to have knee surgery and will be out for approximately eight weeks starting March 7th.
2. Neulist wet labs should be completed by this Thursday March 3, 2022.
3. The caustic line for Rick's Well 7 was repaired.
4. There was a pinhole in the vessel for the nitrate analyzer at Hewlett Well 4, Philip Ross made the repair.
5. Gave an update on plant painting and maintenance.

Michelle Handley reported on the following:

1. Reviewed with the Board the February well pumpage.
2. Received an email from resident at 1 White Oak Drive requesting that the fee for non-testing of the backflow device be removed. After review the Board decided that the fee stands and that the resident be notified.
3. Received a quote for two banner sizes from Chief Graphix for the banner to be hung on Main Street. Also in regards to installing and removal of the banner on Main Street a quote was received from Home Run Electric in the amount of \$500.00 which includes filing the application with PSEG, the Board agreed to use Home Run Electric for this service.
4. Previous auditors Cullen & Danowski still have not submitted the previous year's workpapers to the new auditor R.S. Abrams as required so that they can begin the 2021 audit. Attorney William DeWitt will be following up with Cullen & Danowski on behalf of the District.

Michael Savarese, P.E. reported on the following:

1. Morley Park AOP Treatment – Reviewed the bid tabulation and discussed bid evaluations.
2. Hewlett AOP Treatment – D&B performing contractor shop drawing and submittal reviews. Reviewed correspondence with Nassau County Department of Health regarding project approval. Reviewed draft neighbor notification letter.
3. Stonytown AOP and Nitrate Treatment – Reviewed draft presentation for Monday March 7th Village of Flower Hill board meeting.
4. Village of Port Washington North Area Water Mains – Discussed issue of the Village of Manorhaven’s sewer force main on Pleasant Avenue. It is constructed of asbestos cement and planned to be replaced in coming years. It is not advisable to try to conduct water main replacement around existing sewer due to its fragile condition. Discussed issue of Cow Neck Road awaiting information regarding status of drainage survey and phasing the project to avoid the paving moratorium and associated full curb to curb replacement.

Gary Cucchi, PMG, went over a preliminary list of topics for the annual newsletter. He will start working on articles for the Board to review.

At 9:30am a motion was made to go into executive session. At 9:50am the regular meeting resumed.

The following resolution was made by and approved by the Board on March 2, 2022:

WHEREAS, the Board of Commissioners of the Port Washington Water District have reviewed the present ordinances and policies relative to the repair and/or replacement of water service house connections (water service lines), and

WHEREAS, the property owners serviced by the District are the owners of and prior to the resolutions of November 30, 1988 and January 26, 2011 were responsible for the repair and/or replacement of the water service house connection from the District main in the street to the house, and

WHEREAS, upon the report of counsel, the District was advised that New York State Town Law Section 198 places the responsibility for the installation, repair and maintenance of water service house connections and associated costs on the property owner under the direction of the District. Moreover, the New York State Comptroller’s Office has opined that the District can require a property owner to reimburse the District for expenses it incurs in repairing or maintaining a supply house connection (see, 1982 N.Y. Op. Atty. Gen. (Inf.) 195 (N.Y.A.G.), 1982 WL 178301).

NOW THEREFORE BE IT RESOLVED that in consideration of the above recitals:

Effective March 2, 2022, any and all prior resolutions regarding the responsibility for the installation, maintenance and repair of house connections and the associated costs are hereby superseded by this resolution.

Effective March 2, 2022, the responsibility for the installation, maintenance and repair of house connections and the associated costs shall be the responsibility of the property owner under the direction of the District, except when the District is replacing a water main. In cases of water main replacements, the District may also replace the associated water service lines from the main to the curb box at its own cost after it has made a reasoned determination that such work is in the best interest of the District.

Effective March 2, 2022, on occasions where the District Superintendent has declared an emergency with respect to the repair and/or maintenance of a house connection, the District may engage in the repair and/or maintenance of the house connection from the main to the curb box only, the associated

cost for which shall be a charge to the related property owner. When reasonable, the District Superintendent shall provide the property owner with notice of the emergency, the proposed repair and/or maintenance and estimated expense that will be charged to the homeowner and further, that refusal to allow for the maintenance and/or repair may result in the discontinuance of water service pending the property owner's repair and maintenance of the house connection. In the event the homeowner refuses to allow the repair and/or maintenance, the District Superintendent will use his discretion to alleviate the emergency. Work by District personnel under this resolution does not include repair and/or replacement of sprinkler system components, restoration of pavement, sidewalks, driveways, trees, shrubs, hedges, bushes, or other vegetation disturbed by the house connection repair or maintenance work.

The replacement and/or repair of the house connection from the curb box to the house shall remain the sole responsibility of the homeowner, who shall attend to replacement or repair without delay.

The District assumes no responsibility for damage caused by flooding, loss of use or for any other reason associated with the failure of the water service line or for reasons of delay affecting repairs and/or shutdowns of the water service.

The above RESOLUTION is intended to relate to and effect to only residential property.

The above RESOLUTION was offered by Commissioner Peter Meyer and was seconded by Commissioner Mindy Germain. The motion was unanimously approved.

Checks for payment of claims, due from the Port Washington Water District totaling \$20,777.05 were approved for payment by the Board.

At 9:55am a motion was made to go into executive session. At 10:00am the regular meeting resumed.

There being no further business to discuss the meeting was adjourned at 10:02am.

I hereby certify that the above is a true and correct copy of the minutes of the meeting held on March 2, 2022.

Peter Meyer, Secretary