

A regular meeting of the Board of Water Commissioners was held on the above date at 9 North Broadway, Nyack, NY. The meeting was called to order by Chairman McDowell at 4:30 PM.

The following were present:

William McDowell	Chairman
Michelle Bullock	Commissioner
Pearl Gray	Commissioner
John Phillips	Commissioner
Elizabeth Turk	Commissioner
Latoya Aguillard	Secretary
Thomas Lynch	Superintendent
Mrs. Cora Carter	104 Route 59- Property Owner

Upon motion by Chairman McDowell, second by Commissioner Bullock, and carried, the Board accepted the minutes of October 2025 as written.

The Cash Flow Statement for October 2025 was presented to the Board for review.

The Statement of Revenue and Expenditures for October 2025 was presented to the Board for review.

Mrs. Cora Carter (Owner) – Mrs. Carter contacted the Village of Nyack Water Department on September 17, 2025; to inform the office that her former tenant had moved out at the end of July 2025. However, Mrs. Carter, former tenant, did not notify the Village of Nyack Water Department of their July 2025 move-out. Mrs. Carter also inquired whether the tenant had paid their final bill. During her inquiry, she was informed that the former tenant had not made any payments since January 2024. Per the Village of Nyack Water Department Rules and Regulations, the property owner/landlord is responsible for any outstanding charges when a tenant defaults. However, due to the office being understaffed and not having received timely notification regarding the tenant's late/past-due balances, the Board approved canceling Mrs. Carter's responsibility for the tenant's final bill.

Upon a motion by Chairman McDowell, seconded by Commissioner Phillips, and carried, the Board approved waiving the final bill in the amount of **\$409.22**.

The Board reviewed the Projects Update submitted by H2M architects + engineers Presented by Superintendent Thomas Lynch.

A) Watermain Projects:

a. Phase B:

i. J. Fletcher Creamer (JFC) began construction on Monday 11/18/2024. H2M is providing an inspector onsite full time to watch over and document the JFC construction crew's progress.

ii. JFC Progress:

1. Village of Nyack & Clarkstown:

a. Benson Avenue, Doscher, Hobe and Patterson, Central Avenue, First Avenue, Francis Avenue, Marion Street, Jefferson Street and Fifth Avenue – Watermain installed, and all services installed – Complete

iii. Water Main Replacement Restoration–

1. JFC has completed final pavement restoration work and sent to H2M the final payment application for review on 11/18/2025. H2M to review and advise JFC of any changes/revisions before submitting to the Water Department.

2. Nyack Water and the Village of Nyack will enter into a cost share agreement for the complete replacement of First Avenue, Jefferson Street and Marion Street pavement in 2026.

3. H2M is currently preparing final As-Builts for Phase B water main work.

B) Operations Related:

a. Total Trihalomethanes (TTHMs) Exceedance:

i. H2M and Superintendent Lynch are actively coordinating with vendors IXOM and DN Tanks regarding the procurement and installation of TTHM (Total Trihalomethanes) removal systems. The revised proposal submitted by DN Tanks on August 27th has been formally accepted by the Nyack Water Department and the Village of Nyack. Funding for the project is secured.

ii. DN Tanks has prepared a draft contract for execution with the Nyack Water Department and the Village of Nyack. On 10/9/2025, Superintendent Lynch has shared the contract with the Village of Nyack and the Water Department for review and execution. Upon execution of the contract, DN Tanks will be able to order the necessary treatment equipment.

iii. Next Steps:

1. Regulatory Submission (RCDOH and NYSDOH):

a. DN Tanks / IXOM to provide H2M design calculations and drawings sealed by a NYS Licensed Professional Engineer experienced in the design, rehabilitation and retrofit services of a cast-in-place concrete tank.

b. H2M has been in contact with RCDOH regarding review of the THM Removal System. The review is likely to be a joint review with the NYSDOH. On 10/10/2025 H2M transmitted the initial regulatory submission to the RCDOH via their online portal. The submission included the following:

- i. DOH 348 Form – Application of Approval of Plans for Public Water Supply Improvements
- ii. RCDOH Public Water Supplier Acknowledgement Form
- iii. RCDOH County Planning Information Certification
- iv. DN Tank / IXOM Water Care submittal documents
 - 1. Trihalomethane Removal Equipment
 - a. Technical Data Sheets
 - b. Electrical Sheet
 - 2. Preliminary Placement Drawing
 - 3. Warranty
 - 4. Owner's Manuals
- v. System Letter Report

c. H2M continues to communicate with DN Tanks regarding additional submittal items to provide RCDOH. On November 18, 2025, H2M received eleven (11) submittals, including NY PE–signed and sealed modification drawings for the LSR, for review and approval. Following completion of the review, these documents will be uploaded to the RCDOH Tyler system to finalize the submission of required materials

d. Furnish and Install new GridBee THM Removal System –

- i. Four (4) Gridbee GS-12 Mixers
 - ii. Two (2) F4 Ventilation Systems
 - iii. Two (2) SN5 Surface Aerators
 - iv. All required accessories necessary for a fully operational and integrated system.
 - v. Roof Hatch Modifications, Conduit Penetration, Vent Abandonment, Hatch Cover replacements.
 - vi. IXOM guarantees a TTHM removal of 55%-60%.
 - iv. Roberge Electric has submitted and confirmed receipt of the new service application to Orange and Rockland for the upgrade to the LSR. The Orange and Rockland engineering department will now review the application, develop a design, and prepare a cost estimate for the upgrade.
1. Update: Roberge Electric met on site with Orange and Rockland (O&R) on 9/29/2025 to discuss the new service layout. O&R indicated that they would be replacing the existing pole just outside the LSR fencing and installing the new electrical feed to support the load/demand. The timing for this work is about 2 months.

v. Roberge Electric will replace all the existing electrical paneling in the shed at the LSR. The current system utilizes outdated knob-and-tube wiring, which no longer meets modern safety standards and requires full replacement. This upgrade will ensure compliance with current electrical codes and improve overall reliability and safety of the shed's electrical infrastructure.

1. Update: Roberge Electric began trenching electrical conduits and installing new electrical panels on 10/10/2025. The site will be ready for DN Tanks and O&R.

2. Update: Roberge Electric has completed preliminary installation of new conduits and electrical panels. Currently awaiting O&R to install new service and pole to run all of the wiring.

vi. The target is to have the THM system installed in 2025 and operational January 2026. Once operational, the THM system will need several quarters to reduce the yearly rolling average and fall below the MCL limit.

1. Update: DN Tanks will mobilize during the first week of December 2025 to begin LSR modifications, with IXOM scheduled to mobilize the week of December 8th. Due to fabrication lead times, installation of the new vent and hatches is anticipated for late December. H2M has maintained transparency with RCDOH, noting that H2M and the Nyack Water Department are proceeding with installation due to seasonal weather constraints. However, regulatory authorities may request the Department to pause installation pending formal approval.

b. Total Trihalomethanes (TTHMs) Quarter 2 Violation:

i. Please note that the Quarter 4 Notice of Violation (NOV) for TTHM (Total Trihalomethanes) exceedance remains active. Any future NOV's related to TTHM levels will continue to be issued until the approved TTHM removal system is fully installed, operational, and has demonstrated effectiveness over several quarters. The rolling average must be reduced below the Maximum Contaminant Level (MCL) of 80 µg/L to achieve compliance and resolve the violation status.

C) Plant / Pump Station Actions:

a. South Highland Pump Station/College Zone:

i. H2M and the Rockland County Department of Health (RCDOH) have been in active communication regarding the proposed transition from tablet dosing to liquid hypochlorite injection at the South Highland pump station. With guidance from RCDOH and approval from Superintendent Lynch,

ii. H2M has performed a 3D Laser Scan of the pump station and is currently preparing design documents and supporting documentation for formal submission to RCDOH. The department has agreed to prioritize the review of this submission to expedite implementation.

1. Update: H2M is preparing formal plans for the installation of additional liquid chlorine at the South Highland Pump Station. Draft plans and the accompanying report have already been developed and are currently undergoing internal QA/QC review.

D) Sludge Lagoon

a. H2M continues working to prepare a new SPDES permit for the discharge of the Sludge Lagoon into the Hackensack River. H2M has engaged NYSDEC to obtain clarification on aspects of the permit and on the required sampling of the Sludge Lagoon that is to accompany the permit submission.

i. On June 30, 2025, H2M submitted to NYSDEC the Village of Nyack Water Department SPDES Permit Application and associated documents. We note that there will likely be additional back and forth between NWD, H2M and DEC relative to the application additional sampling required. On June 30, 2025, H2M submitted to NYSDEC and RCDOH responses to the NYSDEC Notice of Violation dated May 19, 2025.

1. H2M and the Nyack Water Department participated in a Teams meeting with the New York State Department of Environmental Conservation (NYSDEC) on August 19, 2025, to review the submitted SPDES (State Pollutant Discharge Elimination System) permit and address specific operational inquiries. Following the discussion, H2M and the Nyack Water Department are awaiting a formal comment letter from NYSDEC. Receipt of this letter is required to proceed with securing the new SPDES permit.

2. Update: H2M and the Nyack Water Department received comments from NYSDEC on October 21, 2025. In response, H2M is preparing the necessary documentation to address the agency's feedback. The response will also include required public notifications and water quality sampling to ensure compliance with regulatory requirements.

ii. On June 25, 2025, the Nyack Water Department awarded sludge removal to Spectraserv of Kearny, NJ. Spectraserv will be removing approximately 1,000,000 million gallons from the lagoon with a removal of 8% solids.

1. Spectraserv has successfully completed sludge removal from the east side of the lagoon and dredging of the west side as of September 22, 2025. These activities were performed in compliance with the requirements outlined in the Notice of Violation issued to the Water Department by the DEC earlier in 2025.

2. Nyack Water Department should establish an annual budget allocation for dredging activities on both the east and west sides of the lagoon. The dredging program will consist of a combination of slurry removal by tanker trucks and the use of a long-reach excavator to dredge, decant, and haul sludge off-site. This approach will ensure that remediation efforts continue in a safe, efficient, and environmentally responsible manner.

iii. Superintendent Lynch has engaged with Joan Roth at Rockland County about reestablishing wash water and sedimentation water discharge to the Rockland County

Sewer district. Superintendent Lynch has spoken with Joan and provided data sampling to date. Additional sampling has been obtained from the sludge pit following filter backwashing. Those results as well as a completed discharge application will be provided to Rockland County for consideration. Superintendent Lynch / H2M are awaiting a follow up meeting with Rockland County Sewer District to further discuss.

1. Update: Efforts are underway to schedule a meeting with the Rockland County Sewer District for early to mid-December, with all parties currently coordinating and exchanging dates of availability.

E) Automatic Flushing Devices:

a. At the request of Superintendent Lynch, H2M prepared and submitted to RCDOH (via the Tyler System) on November 6, 2025, a letter report along with the necessary submittals and a marked-up distribution map. These materials were provided for approval to implement and deploy automatic hydrant flushing devices designed to address stagnation in areas of the distribution system, particularly at system dead ends. H2M and the Water Department await review and comments on request.

F) Plant Upgrade for PFAS Removal:

a. H2M received response comments from NYSDOH on January 6, 2025. H2M had reviewed and issued return responses to NYSDOH on January 27, 2025. H2M is now awaiting any additional comments or approvals to proceed toward bid and satisfying additional requirements for the grant.

b. On March 24, 2025, H2M received official approval from NYSDOH to move forward to bidding and construction.

c. H2M continues working with the Village/Munstat/Hawkins/EFC to secure an agreement for the grants and approvals to move forward toward Bid. H2M and the Village have been in constant communication with EFC and providing applicable information back and forth to execute (close) the grants. Since this is an EFC base project with BIL-EC and WIAA funding, Wicks Law will apply. This will be a minimum of four (4) contracts. H2M has spoken with the Village about utilizing a PLA (Project Labor Agreement) to simplify this process. Village Administrator Stewart has authorized H2M on behalf of the Village to proceed with the PLA evaluation.

d. H2M has performed a cost analysis to be provided to our subconsultant who will review and assist in the preparation of the PLA evaluation.

i. Update: H2M expects to issue a PLA report to the trades by COB October 24th. It is expected that Rockland County Trades will take a few weeks to review. Once the PLA is ready to proceed, the Village of Nyack will need to take action via Resolution to Adopt the PLA.

ii. Update: H2M is currently preparing the project for bid, with draft bid documents to be submitted to NYSDOH to confirm inclusion of all required state

materials. The bidding process is anticipated to take place in December 2025 or January 2026, contingent upon PLA acceptance and scheduling considerations related to the upcoming holidays.

G) New York State Department of Health (NYSDOH) – Comprehensive Performance Evaluation

a. During the week of September 15, 2025, representatives from the New York State Department of Health (NYSDOH) conducted a Comprehensive Performance Evaluation (CPE) at the Nyack Treatment Plant. The evaluation focused on reviewing operational procedures and investigating disinfection byproducts (DBPs), specifically TTHM exceedances. Notably, this marks the first CPE performed at the facility since the year 2000. NYSDOH will issue a formal report detailing findings related to filter performance and chlorine contact time, which will inform future compliance and operational improvements.

b. On October 23, 2025, H2M and the Nyack Water Department received a preliminary findings letter from NYSDOH and are currently awaiting the formal report. Notably, the preliminary findings mirror the observations and recommendations previously issued in March 2024, when the filters were evaluated for efficiency. The preliminary findings are summarized as follows:

i. Gravity Filters – Inspection / Rehabilitation of the four (4) filters. This would be inclusive of replacement of tile underdrains and filter media. Also suggested the installation of an air scour system.

ii. Chlorination System – It is recommended that the chlorine injection point for the finished water clearwell be relocated to a position upstream of the clearwell to increase chlorine contact time.

2026 Rate Increase & Letter – Secretary Latoya Aguiard presented to the proposed 2026 water rates and rates increase letter to the Village of Nyack Water Board. Secretary Latoya Aguiard confirmed, in coordination with the Village of Nyack Treasurer, that the projected revenue from the 2026 rate increase will allow the Village of Nyack Water Department to meet all expected financial goals. The new rates will take effect beginning with the **January 2026 billing cycle**. The rate increase letter will be mailed to all Village of Nyack Water Department consumers. The letter will show that **all customers within the Village of Nyack Water Department service area will be paying the same rate**.

Upon a motion by Commissioner Turk, seconded by Commissioner Bullock, and carried, the Board approved the 2026 rate increase. Secretary Latoya Aguiard will submit the approved rate increase letter to Harrington Press for printing.

Neptune 360 (Follow-Up) – Due to the increased cost of the Neptune 360 program over time, the Village of Nyack Water Board decided to continue using the current program already in place. Once the Village of Nyack receives the new computers, a representative from Rio Supply

will come in to install the software, as the existing software cannot be transferred to the new equipment.

Yeshivath Viznitz – Superintendent Thomas Lynch delivered seven (7) checks from Yeshivath Viznitz as a partial payment toward their outstanding debt. Each check is post-dated monthly from December 1, 2025, through June 1, 2026. Yeshivath Viznitz also stated that they intend to seek legal counsel. Due to the size of the outstanding debt, the post-dated nature of the payments, and their indication that they may seek legal representation in connection with the pending shut-off, the Village of Nyack Water Board decided to consult with the Village of Nyack Water Board Attorney, Jack Schloss, Esq., to obtain legal guidance on how this matter should be handled.

Superintendent's Report:

Volunteer Emergency Responders – Superintendent Thomas Lynch requested that the Board establish a policy regarding procedures for volunteer personnel who are also Water Department employees. A rough draft of this policy will take effect immediately. The draft requires all volunteer personnel to notify either Superintendent Thomas Lynch or Assistant Superintendent Brian Wilson whenever they need to leave their job site or post to respond to an emergency call.

Upon a motion by Chairman McDowell, seconded by Commissioner Gray, and carried, the Board approved that Chairman McDowell and Secretary Latoya Aguillard will work together on the final policy wording to be completed by January 2026.

Operator License Status – Stephen Koller completed his walkthrough with the Rockland County Health Department and is still awaiting approval for his operator license. Paul Smith is also awaiting the reinstatement of his license.

Treatment Plant Leak – Superintendent Thomas Lynch reports of an active Water leak has been detected at our water treatment plant. This leak appears to be leaking from under the foundation toward the pier. This water is not chlorinated. The Water Department crew is actively working to stop the leak.

EVs Branded – Superintendent Thomas Lynch reported that the two new electric vehicles (EV trucks) have been branded with the Village of Nyack Water Department logo.

Basement Prepared for Painting – Superintendent Thomas Lynch reported that Village of Nyack Water Department personnel have moved on to winter action items, which includes painting of the basement.

Auxiliary Equipment Servicing – The Water Department is servicing and preparing all auxiliary equipment for winter. This includes ensuring that all crew vehicles are properly maintained and ready for winter operations. As part of this preparation, GPS tracking devices are also being installed.

Water Disbursement – Park & Main – The fire line at Park & Main could not be shut off during the scheduled work hours. As a result, Superintendent Thomas Lynch and the Water Department crew distributed **10 flats of water** to the business owners who were affected by the fire line/water main shut off.

At 5:23 PM, upon motion by Commissioner Bullock, second by Commissioner Turk, and carried, the Board moved into executive session. At 5:37 PM upon motion by Commissioner Phillips, second by Commissioner Bullock, and carried, the Board moved out of executive session.

Upon returning from the Executive Session, and following a motion by Commissioner Phillips, seconded by Commissioner Gray, and carried, the Board moved to approve the following:

Latoya Aguillard be promoted to the title of Principal Account Clerk contingent upon her meeting all Rockland County Personnel Department qualifications.

Our next meeting will be Thursday, December 17, 2025

There being no further business, upon motion by Commissioner Phillips, second by Commissioner Bullock, and carried, the meeting was adjourned at 5:40 PM.

*Respectfully submitted,
Latoya Aguillard
Secretary*