

December 18, 2025

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
Latoya Aguillard	Secretary
Thomas Lynch	Superintendent

Absent: Commissioner John Phillips, Commissioner Elizabeth Turk

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

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

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

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. Water Main Replacement Restoration—

1. JFC has completed all construction-related work for Phase B Water Main Project. H2M has review and submitted final payment applications to the Water Department and Village Board for Approval.

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) SNS5 Surface Aerators
- iv. All required accessories are 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.
- 2. Update: RCDOH has completed its review of the documentation submitted by DN/H2M and issued a formal comment letter. In collaboration with RCDOH, H2M/DN worked diligently to address several of the initial comments. However, RCDOH has requested additional installation-related information prior to granting approval to commence construction. At present, H2M and DN are preparing a formal response to the comment letter, with the goal of securing approval and scheduling installation for January/February.**

b. **Total Trihalomethanes (TTHMs) Quarter 4 Violation:**

i. Please note that the Quarter 4 Notice of Violation (NOV) for TTHM (Total Trihalomethanes) exceedance remains active. Any future NOVs 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.**

b. **Water Treatment Plant**

i. Superintendent Lynch has been investigating a leak at the plant, first identified during the raising of valve boxes on the northeast side. An exploratory excavation revealed that an undetermined amount of water was flowing beneath the building along the piles and concrete grade beams. A subsequent excavation on the southwest side confirmed that the water was originating near the raw water line, aerated water line, and settling water flume. Further investigation suggests that the settling flume and chemical flume are leaking through voids in the cold joints. H2M has contacted DN to discuss a more permanent solution to address the issue.

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. 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: On December 2, 2025, Superintendent Lynch and H2M met with Joan Roth and Mike Saber of Rockland County Sewer District No. 1 (RCSD) to discuss the potential discharge of filter backwash water to the District. The meeting was productive, with RCSD expressing receptiveness to issuing a new permit specifically for the discharge of filter backwash water. As part of the process, RCSD will conduct laboratory analysis on a composite sample taken directly from the filters during backwash to identify any constituents that could impact the District's treatment operations. If the results are favorable, a formal application will be submitted to RCSD for approval. Prior to submission, one additional step will involve coordinating with Chris Wagner at the Town of Clarkstown to confirm that their sewer system can accommodate a flow of 60,000 gallons per day.

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 markedup 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/Munistat/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 has prepared and delivered the Feasibility Study to both the Village and the Water Department. At the direction of Administrator Stewart, the study was forwarded to the Rockland County Building & Construction Trades Council for review and acceptance. The Trades Council has since reviewed and accepted the study, and on December 16, 2025, provided the Draft Project Labor Agreement. The next step will be for a resolution to be passed and for the agreement to be executed by the Mayor during the January 8, 2026, Village Board Meeting. Once executed, the agreement will be returned to the Trades Council for their signature. Following acceptance of the Project Labor Agreement, H2M will revise the bid documents accordingly, with bidding scheduled for January 2026 pending final review from NYSDOH / EFC for approval to bid.

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.

Outstanding Debt- Secretary Latoya Aguillard and Chairman McDowell reported that they have been working closely with the Village of Nyack Water Board Attorney, Jack Schloss, Esq., regarding customers with outstanding debt. Attorney Schloss will begin issuing demand letters to customers with delinquent accounts to initiate the collection process, starting with the largest outstanding debt holders and proceeding accordingly. Upon motion by Commissioner Bullock and second by Commissioner Gray, and carried the Board approved and authorized Attorney Jack Schloss, Esq., to commence the issuance of demand letters.

Superintendent's Report:

Used Truck- Superintendent Thomas Lynch reported that a utility truck has been identified that can be used to drive throughout the system. The utility vehicle will be utilized for valve checking and exercising, curb box cleaning, and overall hydrant and system maintenance. The purchase price of the utility truck is \$4,000. Upon motion by Commissioner Gray and second by Commissioner Bullock, and carried the Board approved and authorized Superintendent Lynch to purchase the utility truck from Yaboo Fence Co.

Fleet Truck- Superintendent Lynch also expressed the need to purchase two new fleet trucks for the Distribution Crew. He will inquire about purchasing the vehicles through the State Bid site using American Ford. Upon motion by Commissioner Bullock and second by Commissioner Gray and carried the Board approved the purchase of two new fleet vehicles.

At 5:19 PM, upon motion by Commissioner Bullock, second by Commissioner Gray, and carried, the Board moved into executive session. At 6:16 PM upon motion by Commissioner Gray, second by Commissioner Bullock, and carried, the Board moved out of executive session.

Our next meeting will be Thursday, January 15th, 2026

There being no further business, upon motion by Commissioner Gray, second by Commissioner Bullock, and carried, the meeting was adjourned at 6:17 PM.

*Respectfully Submitted,
Latoya Aguillard
Secretary*