

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
Kyle Coimbra	Village of Nyack Treasurer
Don Wilson	Blue Woods -Salisbury Point
Stephen Sorota	Owner Of 285 Piermont Avenue

Upon motion by Chairman McDowell, seconded by Commissioner Bullock, and carried, the Board accepted the minutes of February 2026 as written.

The Cash Flow Statement for February 2026 was presented to the Board for review.

The Statement of Revenue and Expenditures for February 2026 was presented to the Board for review.

Tentative Budget 26-27-Village of Nyack Treasurer Kyle Coimbra presented the tentative budget for the 2026–2027 fiscal year to the Board. The budget was prepared in collaboration with Secretary Latoya Aguillard. Superintendent Thomas Lynch requested the addition of several budget items, which he has been reviewing with the Village of Nyack Water Department engineer from H2M, Chris Wright. These proposed additions will be discussed further and finalized for presentation to the Board at the April 16, 2026, meeting, prior to the Village of Nyack Board’s consideration and approval of the budget.

Bluewoods Management-Bluewoods Management representative Don Wilson presented to the Board a proposal for a payment plan to settle their outstanding bill with the Village of Nyack Water Department. Counsel Jack Schloss of Schloss and Schloss will send Bluewoods management the proposed payment plan agreement.

Stephen Sorota- Mr. Sorota addressed the Board regarding his meter and a payment plan related to a leaky hose during the summer of 2025. Upon a motion by Commissioner Phillips, seconded by Commissioner Gray, and carried, the Board approved Secretary Latoya Aguillard to send Mr. Sorota a payment plan letter based on past practice.

Jack Schloss Retainer Renewal, Jack Schloss counsel for the Village of Nyack Water Department, submitted his annual retainer renewal to the Board. Upon a motion by Commissioner Phillips, seconded by Commissioner Bullock, and the Board approved and carried, the renewal of Council Jack Schloss's retainer agreement.

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) has completed the construction associated with Water Main Improvements.

ii. H2M has prepared Draft As-Built Drawings for this work.

B) Operations Related:

a. Total Trihalomethanes (TTHMs) Exceedance:

i. Next Steps:

1. Regulatory Submission (RCDOH and NYSDOH):

a. RCDOH/NYSDOH 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. H2M has received some further clarification/comments from RCDOH and is currently working with DN / IXOM to address.

c. Update – H2M provided RCDOH on January 27, 2026, with a Standard Operating Procedure prepared by DN/IXOM for the installation work to be performed on the LSR in connection with the THM system. H2M has had multiple follow-up correspondences with RCDOH, the most recent occurring on February 11, 2026. RCDOH indicated that only minor revisions to the SOP would likely be required and noted no significant concerns with the proposed approach. RCDOH was expected to return the revised SOP to H2M on February 11, 2026; however, it has not yet been received. Additionally, H2M, DN, and IXOM met via Teams on January 30, 2026, to review outstanding items from an earlier RCDOH comment letter. IXOM is expected to provide responses within the next several weeks. These responses are not related to construction activities but pertain to activation of the system once installation is complete.

d. Update – H2M resubmitted a comment-response letter and the complete signed and sealed DN Tanks document set to RCDOH on March 16, 2026. RCDOH, H2M, and DN have coordinated on revisions to the SOP and the overall process, and RCDOH is expected to issue conditional approval for installation of the TTHM removal equipment. IXOM will provide H2M with the final signed and sealed calculations and mixer confirmation, enabling H2M to

submit the remaining comment responses to RCDOH for approval to activate once all requirements are satisfied. Additionally, O&R placed the new utility pole on Friday March 13, 2026.

b. Total Trihalomethanes (TTHMs) Notices of Violation:

i. Please note that it is likely that each quarter of 2026 will result in a Notice of Violation (NOV) for TTHM (Total Trihalomethanes) exceedances. All future NOVs related to TTHM levels will continue to be issued until the approved TTHM removal system is fully installed, placed into operation, and has demonstrated sustained effectiveness over multiple quarters. Compliance will only be achieved once the running annual average is reduced below the Maximum Contaminant Level (MCL) of 80 µg/L, at which point the violation status can be resolved.

C) Plant / Pump Station Actions:

a. South Highland Pump Station/College Zone:

i. 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) 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.

1. H2M met with DN Tanks on January 5, 2026, to review the areas of concern. DN to provide Superintendent Lynch with a proposal for temporary and permanent fixes.

2. Update – DN provided H2M and Supt. Lynch with a proposal to procure and install a hatch in the settled water flume. DN was informed that the proposal was not accepted due to cost. Supt. Lynch will obtain additional quotes. H2M will coordinate with RCDOH and provide notification of the installation plan and procedure. Once the hatch is installed, DN offered to perform an inspection and provide a repair proposal. The inspection was stated to be free of charge.

3. Update – H2M and Supt. Lynch met with RCDOH via Teams to discuss the installation of the access hatch. H2M to prepare a letter indicating that the flume is structurally sound to accept an access hatch. Additionally, the hatch will be pedestrian rated as opposed to H-20 loading.

E) 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.

3. Update: As part of the responses to the NYSDEC, Superintendent Lynch has performed required water quality sampling to accompany the response to DEC. Nyack Water is awaiting these results.

4. Update – Nyack Water and H2M have received the water quality results from PACE Labs. H2M has prepared all response documents for resubmission to NYSDEC. H2M is currently awaiting Water Treatment Chemical (WTC) Authorization forms from Coyne Chemical and Holland Company. Resubmission is anticipated during the week of February 23, 2026.

5. Update – H2M resubmitted all of the SPDES related documentation to NYSDEC on February 24, 2026. On March 16, 2026, comments were provided by NYSDEC regarding the PPP (CP-29). NYSDEC has since approved for publication of the documentation to the Village website. H2M will coordinate with Supt. Lynch and the Village to create a web page to house the PPP and Repository as required.

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.

2. Update – Rockland County Sewer District (RCSD) has obtained composite sampling from Filter No. 3 for analysis. Nyack Water awaits results and determination on discharge to RCSD.

F) Automatic Flushing Devices:

a. At the request of Superintendent Lynch, H2M prepared and submitted to RCDOH (via the TylerSystem) 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.

b. Update: Awaiting RCDOH review response/comments.

c. Update – H2M and Nyack Water have received comments from RCDOH regarding the auto flushing duration and whether the pilot hydrant is located within the Village Right-of-Way (ROW). H2M has provided an initial response to RCDOH via email regarding the proposed flushing duration. Supt. Lynch has contacted Katie Fairclough of the Town of Orangetown to confirm the ROW status

G) 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.

ii. Update: Awaiting confirmation from Village Board that the resolution adopting the PLA was adopted before modifying all bid documents. H2M and the Water Board have obtained confirmation that the Village Board has adopted the PLA. Rockland County Trades is in the process of securing a signed version of the agreement. H2M is in the final stages of revising all bid documents to incorporate the PLA requirements. Once complete, the documents will be submitted to NYSDOH and EFC for approval to bid, ensuring that all required grant-related materials are included.

e. Update: H2M has submitted the Bid Specifications to NYSDOH to ensure that all grant-related requirements are fully incorporated into the appendices. Proposed bid dates have also been shared with the Water Department and the Village, assuming NYSDOH raises no issues during its review. The current schedule anticipates advertising on April 6. Bid Plans have been updated to reflect the implementation of a PLA.

H) 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.

c. Update – H2M and Superintendent Lynch held a preliminary call with RCDOH regarding the Draft CPE that is expected to be issued to H2M and Nyack Water in the coming weeks. The discussion focused on how Contact Time (CT) is currently calculated and how it should be achieved operationally. A follow-up meeting with both NYSDOH and RCDOH is anticipated to provide further clarity on the methodology for CT calculations moving forward, with the goal of optimizing chemical addition and overall system performance.

l) Additional Items to be Address:

a. NYSDEC Annual Comprehensive Inspection – As part of the NYSDEC Annual Comprehensive Inspection conducted on November 20, 2025, related to SPDES permit compliance, the NYSDEC inspector (Mr. Aung Lwin) questioned the method and metering used to measure the backwash water and alum sludge directed to the lagoon. Because no dedicated flow meter currently exists to capture these flows, a flow meter will need to be installed on the sludge lagoon discharge line to accurately track volume and flow to the lagoon.

b. Finish Water Pump Room – H2M is in the process of obtaining a proposal for the replacement of the check valve associated with Finished Water Pump No. 3, as well as a surge relief valve on the discharge piping back into the clearwell. H2M is working with Harper Haines to determine a suitable check valve to fit within the confines of the existing piping. Nc. Finished Water Pump No. 2 – Precision Pump has removed Finished Water Pump No. 2 and has found heavy deterioration of the impellers and vanes. Currently Precision is sourcing the parts to rebuild the pump. The deterioration explains the lack of production and increased run times that Supt. Lynch has been seeing over the past couple of years.

Superintendent's Report:

Hydrant Flushing Pressure & flow- Superintendent Thomas Lynch reported on hydrant flushing, pressure and flow testing, and system maintenance. Superintendent Lynch stated that hydrant flushing will return to a nighttime procedure, as done in the past. Our System Maintenance crews are compiling historical information and developing spreadsheets to document lower and higher-pressure levels as part of a revised, state-required procedure. Additionally, crews are reviewing system maps and records to better document the layout of the water system.

Automatic Hydrant Flusher-Superintendent Thomas Lynch reported that approval has been received from the Rockland County Department of Health to install an automatic hydrant flusher. The purpose of this installation is to help reduce trihalomethanes (TTHMs) in the water system. This measure is expected to lower TTHM levels and help address violations that have been occurring.

Private Fire Hydrant Rules & Regulations – Superintendent Lynch is proposing the implementation of a mandatory flushing schedule for all private fire hydrant owners. The purpose of this initiative is to ensure that private hydrants remain in proper working conditions and are maintained in accordance with applicable safety standards. Further details regarding scheduling requirements, compliance expectations, and enforcement procedures will be developed and issued as soon as possible. All private hydrant owners will be notified by formal notice, and it is anticipated that this requirement will be incorporated into the applicable rules and regulations to ensure that all private hydrants are properly and routinely maintained by their owners.

Nyack Hospital – Water Main Cut and Cap-Superintendent Lynch commended J. Fletcher Creamer & Son for the excellent work completed on the cut and cap of the 6-inch water main at Nyack Hospital. The work was performed in accordance with directives from the Rockland County Health Department due to the absence of a backflow prevention device. The project was completed successfully and met all required safety and regulatory standards.

Treatment Plant Action Items- The Superintendent reports that this month's action items are currently in progress. The following items are being addressed:

- Flume
- Fiber optic cable installation/upgrades
- FWP #2 sanitary survey

Work on these items is ongoing, and updates will be provided as progress continues.

At 6:18pm, upon motion by Commissioner Bullock, seconded by Commissioner Turk, and carried, the Board moved into executive session. At 6:40PM upon motion by Commissioner Phillips, seconded by Commissioner Bullock, and carried, the Board moved out of executive session.

Our next meeting will be Thursday, April 16, 2026

There being no further business, upon motion by Commissioner Phillips, seconded by Commissioner Bullock, and carried, the meeting was adjourned at 6:41 PM.

*Respectfully submitted,
Latoya Aguillard
Secretary*