

July 17, 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
Elizabeth Turk	Commissioner
Latoya Aguiard	Assistant Secretary
Thomas Lynch	Superintendent
Kyle Coimbra	Village Treasurer
Donald Franchino	Town of Clarkstown-Councilman
Bobbie Gardner	Central Nyack Civic Association

Absent: Commissioner John Phillips, Secretary Barbara Kunar

At 4:30pm upon motion by Chairman McDowell, second by Commissioner Bullock, and carried, the Board moved into executive session to discuss personnel issues. upon motion by Commissioner Turk, second by Commissioner Bullock the board moved out of executive session at 4:42pm.

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

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

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

**Councilman Donald Franchino-** Requested a follow-up with the board regarding the **Village of Nyack Water Board meeting held on October 17, 2024**. That meeting included participation from members of the Central Nyack Civic Association, who raised concerns about disparities in water rates among customers in the Village of Nyack, South Nyack, Central Nyack, and West Nyack.

During the October 17<sup>th</sup>, 2024, meeting -Bobbie Gardner (Central Nyack Civic Association Board member) -expressed concerns about fairness, noting that residents of the Village of Nyack also share the water supply and suggesting that rates should be uniform across all areas.

**Councilman Franchino** inquired whether the Village of Nyack water department has since developed a solution to address the rate disparity. He noted that the Town of Clarkstown had voted at the March 2025 Town of Clarkstown board meeting to elevate the tax burden. Councilman Franchino wanted to know whether the **Village of Nyack water department have developed or proposed any solution** to address the rate issue.

**Chairman McDowell** thanked Councilman Franchino for bringing the issue back to the board's attention. However, **Chairman McDowell** stated that until the board receives formal notification from the Town of Clarkstown tax assessor's office, The Village of Nyack Water Department cannot make a definitive decision on the matter.

The Board reviewed a memo submitted by H2M architects + engineers and 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. Clarkstown: A.** Benson Avenue, Doscher, Hobe and Patterson – Watermain installed, and all services installed – Complete

**2. Village Of Nyack: A.** Central Avenue, First Avenue, Francis Avenue, Marion Street, Jefferson Street, Fifth Avenue – Watermain installed, and all services installed - Complete

##### **iii. Water Main Replacement Restoration–**

**1.** JFC has completed all restoration work to curb, sidewalks, private property and addressed all punch list items. H2M, Nyack Water and Village of Nyack have walked the roadways down to confirm any missing items.

**2.** JFC will continue to monitor water main trenches for settlement. Where applicable, final trench restoration will be completed following 6-month settlement.

**3.** H2M has provided the Village and Water Board with a proposed cost share with the Town of Clarkstown, Benson Ave, Doscher Ave, Hobe Street, and Patterson Ave. In discussion with Rob Sambevski at the Town of Clarkstown, the Town would hold the \$150/ton rate that was utilized during Water Main Replacement Phase A for Waldron Avenue. The breakdown is as follows:

**A.** Benson Avenue - \$14,750

**B.** Doscher Avenue / Hobe Street / Patterson Ave - \$32,550

**C.** Total - \$47,300

**D.** Note: The Town of Clarkstown requires one entire lane to be repaved, and the Town will take care of the other lane.

**4.** Town of Clarkstown on July 16, 2025, has provided the Village of Nyack with a cost share agreement for the above referenced roadways for execution by Mayor Rand.

**B) Operations Related:**

**a. Total Trihalomethanes (TTHMs) Exceedance:**

**i.** H2M continues to prepare a comprehensive Corrective Actions Report that details in depth the corrective actions taken to date and what contributed to the decision-making process. This document would be generated to provide to the NYSDOH, RCDOH and EPA during any future correspondence or audits.

**ii.** H2M and Superintendent Lynch continue to work with Vendors IXOM and DN Tanks as it relates to the procurement and installation of TTHM removal systems. DN Tank provided an updated proposal on June 18, 2025, for the procurement, installation and coordination with equipment manufacturers, electricians and submittals.

**1.** Furnish and Install new GridBee THM Removal System - Cost \$550,000. Budget does not include electrical work (Orange and Rockland and Roberge Electric Costing). DN tanks were provided with the same 20% equipment discount that the Nyack Water Department was offered by IXOM. Additionally, IXOM guarantees a TTHM removal of 55%-60%.

**2.** H2M recommends that should the Board find this proposal acceptable proceed with the DN Tanks and IXOM Watercare THM removal System. Nyack Water should target to have this system operational by January 1, 2026, to begin reducing TTHM and obtain regulatory compliance in 2026.

**iii.** Roberge Electric has submitted a new service application to Orange and Rockland to begin the process of upgrading the service to the LSR. Orange and Rockland

engineering department will review the application and put together a design and a cost to provide the upgrade. The typical return timeline is 2-3 months.

iv. H2M and Superintendent Lynch will be obtaining a quote -from Roberge Electric to replace all electrical paneling in the shed at the LSR. The current electrical system is knob and tube and requires replacement.

### **C) Plant Actions:**

#### **a. Flocculation Basins:**

i. Superintendent Lynch has/had ordered the replacement flights for Sedimentation Basin Nos. 1 and 2. To date, the replacement flights have arrived and been installed into Sedimentation basin No. 2. Sedimentation Basin No. 2 has been repaired and placed back into active service.

ii. Superintendent Lynch has repaired sedimentation basin in April 2025. The plant is currently operating with both Sedimentation Basin Nos. 1 and 2 in service.

#### **b. Finish Water Pump No. 3 Check Valve:**

i. Superintendent Lynch has identified that the check valve associated with finish water pump no. 3 no longer seals properly when the plant is offline allowing backflow of the distribution system into the finish water clearwell. The check value should be evaluated and replaced as necessary budget permitting. Precision Pump was onsite June 16, 2025, to look at the check valve in question.

#### **c. 6th Avenue Pump Station / Hospital Tank:**

i. During the week of February 10th, the 6th Avenue suffered a failure of the South Pump within the 6th Avenue Pump Station. Precision Pump was called in to assess the pump. Upon assessment, it was determined that the pump needed to be removed and brought back to their shop to be rebuilt due to bearing failures. As of February 20, 2025, Precision Pump has indicated to Superintendent Lynch that the pump is able to be rebuilt and will be returned in the coming days. Attention to potential partially closed valves on the suction side of the pumps needs to be investigated. As of February 28, 2025, the 6th Avenue pump has been rebuilt, reinstalled and is operating as intended.

ii. In mid-April 2025, H2M performed a ROV-based inspection of the Hospital Tank. During that inspection, an Opossum was found floating in the storage tank. Superintendent Lynch notified RCDOH, and the directive was to drain the tank and clean. During the investigation of how to remove the tank from service, Nyack Water kept in constant communication with the Nyack Hospital, Rockland County Emergency Services and Rockland County Department of Health. Nyack Water determined that the tank could not be shut down as the Nyack Hospital would be without adequate water pressure to operate. In an emergency, Supt. Lynch had a portable booster pump brought to site.

**iii.** In coordination with H2M, Supt. Lynch approved the installation of VFD's within the 6th Avenue Pump Station. VFD's were installed during the week of May 12th. When the pumps are in VFD mode, High Pressure Zone will operate off a pressure transmitter that is set to 100 psi. This will allow the booster station to cycle on and off throughout the day while the Hospital Tank is offline.

**iv.** During the week of May 26th, in coordination with RCDOH, Rockland County Emergency Services and the Nyack Hospital, Nyack Water removed the Hospital tank from service. The tank was subsequently, drained, cleaned and refilled. During this time, the pump station ran off the newly installed VFD's and maintained the set pressure of 100 psi. Furthermore, the programing was set up in such a way that the second pump would come online should a pressure drop occur in the system. At this time, the tank has achieved satisfactory bacteriological tests and has been returned to active service. The forthcoming H2M inspection report will note some repairs that should be considered to the Hospital Tank.

**v.** Superintendent Lynch has authorized Neal Systems to install a new Cellular based communications system (like the South Highland Pump Station) to allow for remote operation of the pumps and accurate relay of tank level back to the plant. As part of the installation, Neal Systems will install free of charge a Hach CL 10 chlorine analyzer that was purchased by Nyack Water to report chlorine residual measurements back to the plant. Additionally, a level sensor will be installed in the 55-gallon liquid hypochlorite tank and report back to the plant to prevent liquid hypochlorite from running out over the weekends/holidays. Installation is slated to begin the week of June 16th. Currently liquid hypochlorite is injected at the 6th Avenue Pump station. (Note that the old ABB chart recorder operates off old Verizon copper lines that will be cut off in the future. Additionally, the chart recorders auto control board has burnt up and is obsolete and necessitating the replacement.).

**1.** All upgrades to the Communications system at the 6th Avenue Pump Station have been completed and is working as intended.

**2.** Superintendent Lynch continues to work on refining chlorine residual and application dosage.

**vi.** The 6th Avenue Pump Station entrance should be fitted with a BRIVO access system. This is the system utilized at the Water Plant and Village Hall and log everyone who accesses Water Department assets.

**vii.** The North pump was removed from the 6th Avenue Pump Station the week of June 2nd. Precision Pump assessed the pump's current condition; it was determined that the pump needed to be removed and brought back to their shop to be rebuilt due to bearing and packing failures. The rebuilt North pump was returned and installed at the 6th Avenue Pump Station on June 13, 2025. It should be noted that both pumps (north and south) have been rebuilt in 2025. Additionally, the electric motors have also been replaced in the previously.

#### **d. South Highland Pump Station/College Tank:**

i. Superintendent Lynch asked the RCDOH about adding liquid hypochlorite injection within the South Highland pump station in lieu of tablet dosing. RCDOH has requested a full engineering submission to proceed with considering approval. H2M will await approval from the Board to proceed.

ii. The South Highland Pump Station entrance should be fitted with a BRIVO access system. This is the system utilized at the Water Plant and Village Hall and log everyone who accesses Water Department assets.

#### **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. H2M has received some direction from NYSDEC on sampling required for the SPDES permit. Sampling requirements has been sent to Superintendent Lynch, but recent plant issues have not allowed this to proceed.

ii. 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.

iii. On June 30, 2025, H2M submitted to NYSDEC and RCDOH responses to the NYSDEC Notice of Violation dated May 19, 2025.

iv. 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. Currently Spectraserv is awaiting approval from Passaic Valley Sewerage Authority (PVSA) to discharge. H2M has reached out to contacts at PVSA to try and expedite their review and approval. Sludge removal is in response to the NYSDEC NOV and more specifically the comment requiring the department to provide sludge removal and maintenance plans.

v. 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. Should Nyack Water obtain approvals, this would result in a reduction in wash

water being discharged to the lagoon. Backwashing of a single filter requires approximately 30,000 gallons of makeup wash water to complete.

#### **E) 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 is in the process of putting together further detailed cost estimating so the evaluation can be performed.

#### **F) Residential and Commercial Water Meters:**

**A.** H2M and Superintendent Lynch met with National Metering and RIO Supply (Neptune Meters) to further discuss options for residential and commercial water meters. The purpose of these meetings was to take a hard look at potential lost revenue due to water meters that are beyond their life expectancy, inaccurate, not in the Nyack billing system, etc. To date, only a small sample of five meters has been tested by National Metering. Of those meters tested, two (2) were within calibration specifications, two (2) were 20%-30% inaccurate and one (1) wasn't functional. To further understand the extent of the potential revenue loss, a pilot program should be implemented. The program would consist of removing and replacing select meters with new and sending the older meters to National Metering to be tested for accuracy and results documented. Currently, we have an inventory of the Yeshivath Viznitz that includes 34 total meters varying in size from 5/8" up to 3". Other options could be to remove and replace Village meters and test. This program would provide the Water Board with an idea of how inaccurate the existing water meters are and the lost revenue from that aspect alone. Note: Meters lose accuracy slowly, but it is also known that there are meters in the system that are well beyond their life.

**B.** Neptune Meters performed a Propagation Analysis and determined that radio frequency would be the best option to relay metering information back. Equipment could be installed on the Cell tower within the plant property and at the Hospital Tank site to reach 99%+ of the customer base. Currently, a proposal is being put together to replace all the meters inclusive of various options that Neptune and National Metering can provide to help the Water Department with efficiency, cost savings, customer buy in, etc. It should be noted that if the Water Board agreed to enter a replacement program, a financing plan can be setup for whatever terms are deemed palatable (5-6-7 years, etc.). All meter reading could be done in a day or two freeing up the Water Departments meter reader to help the distribution or plant crew.

**c.** Following our follow-up meeting with National Metering Services and RIO Supply, National Metering Services provided Nyack Water and H2M with a Metering as a service proposal. Three (3) different proposals were provided.

**i. Drive-By with Cellular – 5-year payout (60 months)**

**1.** Metering Equipment and Meter Installation Total = \$3,936,087.60 (\$65,601.46 / month)

**2.** Meter Maintenance Total = \$276,393.60 (\$4,606.56 per month)

**3.** Monthly Bill Processing and Collections = \$1,065,966 (\$17,766.10 / month)

**ii. Cellular – 5-year payout**

**1.** Metering Equipment and Meter Installation Total = \$4,085,813.40 (\$68,096.89 / month)

**2.** Meter Maintenance Total = \$276,393.60 (\$4,606.56 per month)

**3.** Monthly Bill Processing and Collections = \$1,065,966 (\$17,766.10 / month)

**iii. Fixed Network w/ Hospital Tank & Cell Tower site, plus Cellular – 5-year payout.**

**1.** Metering Equipment and Meter Installation Total = \$4,085,813.40 (\$68,096.89 / month)

**2.** Meter Maintenance Total = \$276,393.60 (\$4,606.56 per month)

**3.** Monthly Bill Processing and Collections = \$1,065,966 (\$17,766.10 / month)

**4.** Note: This variation would allow for all remote collection of data.

**d.** The installation of the new metering system over 5-years (60 months) would allow for Superintendent Lynch to repurpose his current meter reader to assist with the Distribution crew. Meter reading would be significantly reduced to days if doing drive by collection once the entire system is installed and implemented. Potentially eliminating the need all together if all obtained remotely.



**Kenneth Dorsch Retirement** - The Village of Nyack Water Board was presented with a retirement letter from Kenneth Dorsch. Mr. Dorsch has served the Water Department since May 3, 1999, demonstrating over 26 years of dedicated service. His official retirement date was effective July 10, 2025. The Board acknowledges and sincerely thanks Mr. Dorsch for his long-standing commitment and contributions to the department.

**Barbara Kunar Retirement**- The Village of Nyack Water Board was presented with a retirement letter from Barbara Kunar. Ms. Kunar began her service with the Water Department on January 20, 2000, and has contributed over 25 years of dedicated work. Her official retirement date will be July 30, 2025. The Board expresses its appreciation and gratitude to Ms. Kunar for her many years of service and commitment to the department.

**Superintendent's Report:**

**National Metering Proposal**-Superintendent Thomas Lynch presented documentation regarding a proposal to upgrade the entire meter system, with an estimated cost ranging from \$3,936,087.60 to \$4,085,813.40. Chairman William McDowell made a motion to postpone the proposal for the time being. He cited that, due to ongoing upgrades to the water system — including the construction of the PFAS treatment plant and the addition of a mixer at the pump station — the Village of Nyack Water Department is currently unable to assume additional financial obligations. Second by Commissioner Elizabeth Turk and carried the Board agreed to table the proposal and revisit it later.

**K & P Asphalt**- Superintendent Thomas Lynch presented to the Board a contract for patch repaving of the treatment plant entryway. The contract, provided by K & P Asphalt, offers the following two options:

1. Option 1 – Patch the entrance of the property:
  - Cost: \$2,200.00
2. Option 2 – Install a new 3-inch layer of asphalt over approximately 5,000 square feet:
  - Cost: \$10,000.00

Chairman William McDowell made a motion to approve the contract, **provided that milling is included prior to paving**, and to authorize Superintendent Lynch to sign the agreement. The

Board agreed that Superintendent Lynch may proceed with the option he deems most appropriate. Second by Commissioner Bullock and carried the motion was approved.

Sludge Removal Update- Superintendent Thomas Lynch provided an update on sludge removal efforts. He has been in contact with the Rockland County Sewer District regarding the potential reestablishment of wash water and sedimentation water discharge to the district.

Additional sampling has been collected from the sludge pit. The test results, along with a completed discharge application, will be submitted to Rockland County for review and consideration.

If approval is granted, this would allow the Nyack Water Department to significantly reduce the volume of wash water currently being discharged to the lagoon.

*At 6:03 PM, upon motion by Commissioner Grey, second by Commissioner Turk, and carried, the Board moved into executive session to discuss personnel issues. At 6:40 PM upon motion by Chairman McDowell, second by Commissioner Bullock, and carried the Board move out of executive session.*

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

1. **Latoya Aguillard is to receive a 3% salary increase, in accordance with the terms outlined in the union contract.**
2. **Barbara Kunar is to receive a 90-day vacation payout.**

### **Amendment to executive session #2**

**The Village of Nyack Village Administrator Andy Stewart was informed of the Board's decision and subsequently denied Barbara Kunar's 90-day vacation payout.**

Respectfully submitted,  
*Latoya Aguillard*  
Assistant Secretary