

September 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
John Phillips	Commissioner
Elizabeth Turk	Commissioner
Latoya Aguiard	Assistant Secretary
Brain Wilson	Assistant Superintendent
Dr. Jonathan Jakus	258 High Avenue- Property Owner

Absent: Superintendent Thomas Lynch

Upon motion by Commissioner Bullock, seconded by Commissioner Turk, and carried, the Board accepted the minutes of **July 2025** as written, with a request by Chairman McDowell to separate the memorandum related to Executive Order #2.

Upon motion by Commissioner Bullock, seconded by Commissioner Gray, and carried, the Board approved the separation of the memorandum related to Executive Order #2.

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

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

Dr. Jonathan Jakus – Dr. Jakus appeared before the Board to express concerns regarding an unusually high-water bill for his property located at 258 High Avenue. Assistant Secretary Latoya Aguiard presented the water usage history for the property. It was noted that no actual meter reading had been recorded since July 31, 2023. As a result, the water bills for the last seven (7) quarters had been based on estimated usage. On July 29, 2025, the Village of Nyack Water Department gained access to the property and obtained an actual meter reading. Due to a substantial increase in recorded usage, follow-up reading was performed to confirm accuracy. The second reading validated the initial result, prompting the department to issue a High Bill Notification Letter.

Dr. Jakus later submitted an additional meter reading, which indicated usage of approximately 1,200 cubic feet (CF) higher than the department's confirmed reading. To investigate further and verify the accuracy of the meter, the Board agreed to send a service technician to perform a meter calibration. The calibration is scheduled for Friday, September 19, 2025, at 9:00 AM. Dr. Jakus confirmed his availability and consented to the appointment. The Board will review the findings of the meter calibration and make a decision regarding the high-water bill thereafter.

United States Department of the Interior- The Board reviewed the standard Joint-Funding Agreement between the U.S. Geological Survey (USGS) New York Water Science Center and the Village of Nyack water department for the period October 1, 2025, through September 30, 2026. The agreement outlines negotiated deliverables and included a contribution of \$18,621 from the Village of Nyack Water Department. This represents a decrease of \$1,198 from the previous agreement covering October 1, 2024, through September 30, 2025. Motion made by Commissioner Phillip, seconded by Commissioner Bullock, and carried. The Board approved Chairman McDowell to sign the agreement and authorized Assistant Secretary Latoya Aguillard to submit the signed agreement to the U.S. Geological Survey.

**The Board reviewed the Projects Update submitted by H2M architects + engineers
Presented by Assistant Superintendent Brian Wilson.**

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 is in the process of scheduling final restoration of various roadways within the Village as discussed and agreed upon

between Nyack Water and the Village of Nyack. JFC will provide schedule once coordination has been completed.

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 will prepare 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, and DN Tanks is currently preparing a draft contract for execution with the Nyack Water Department and the Village of Nyack.

ii. 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.

2. Furnish and Install new GridBee THM Removal System –

- a. Four (4) Gridbee GS-12 Mixers
- b. Two (2) F4 Ventilation Systems
- c. Two (2) SN5 Surface Aerators
- d. All required accessories are necessary for a fully operational and integrated system.
- e. Roof Hatch Modifications, Conduit Penetration, Vent Abandonment, Hatch Cover replacements.
- f. IXOM guarantees a TTHM removal of 55%-60%.

- iii. 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. The typical turnaround time for this process is approximately 2–3 months.
- iv. 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.

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.

- b. Total Trihalomethanes (TTHMs) Quarter 2 Violation:
 - i. Please note that the Quarter 2 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, H2M has initiated the preparation of design drawings, engineering calculations, and supporting

documentation for formal submission to RCDOH. The department has agreed to prioritize the review of this submission to expedite implementation.

b. Verizon Fiber Optics

i. Water Treatment Plant

1. Superintendent Lynch has completed all necessary access point preparations within the plant to facilitate the installation of the Verizon Fiber Optic Connection. The project is now pending on Verizon's scheduling of the installation.

ii. 6th Avenue Pump Station

1. A new conduit and junction box have been successfully installed between the 6th Avenue Pump Station and the Hospital Tank. The project now awaits Verizon's installation of communication service lines between the Pump Station and the Hospital Tank, as well as from the Pump Station to the adjacent telephone pole.

c. Low Service Reservoir (LSR) Radio Transmitter

- i. Neal Systems has completed the installation of the Radio Transmitter and all ancillary equipment at the LSR. Awaiting Neal Systems to return for programming of the new equipment.

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.
- 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. To date, Spectraserv has successfully removed approximately 1.167 million gallons of sludge from the east side of the lagoon. In order to initiate sludge removal from the west side, Superintendent Lynch has authorized an additional Not-to-Exceed amount of \$50,000. These funds will support the use of a long-reach excavator to dredge, decant, and haul sludge off-site, continuing the remediation efforts in a safe and efficient 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.

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/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.

F) 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.

Superintendent's Report: Presented by Assistant Superintendent Brian Wilson

LSR Tree and Brush Removal Update- still in progress. To date, 20 dead trees have been removed from the site. Further updates will be provided as the work continues.

6th Ave Tank Paper Road Access Update- The Village of Nyack Water Department crew has cleared a 20 ft radius around the area to support the rehabilitation process for the 6th Ave Tank. Rockland County provided free milling material to assist with rehabbing the paper road access. This contribution was a valuable addition and greatly supported the progress of the project.

Water Treatment Plant Cleaning Update- Superintendent Thomas Lynch has led the ongoing cleaning and maintenance efforts at our Water Treatment Plant facility. This initiative has been in progress since Superintendent Lynch took over and reflects a strong commitment to operational excellence. Assistant Superintendent Brian Wilson reported that during a recent inspection, the Rockland County Health Department complimented the cleanliness and overall condition of the treatment plant. This positive feedback is a direct result of the dedication, professionalism, and hard work of our Nyack Water Department staff, who continue to demonstrate pride in maintaining a clean, safe, and efficient facility.

Lead and Copper Sampling Status Update- Assistant Superintendent Brian Wilson informed the Board that the Nyack Water Department is currently in the second round of lead and copper sampling for this 6-month period. This round has shown a better turnaround compared to the previous cycle. To date, the department has received 41 out of the 60 sample bottles that were distributed to customers. The team will continue to follow up to ensure all required samples are collected in a timely manner.

New Hire – Brian Hong | Assistant Operator Traineeship- Brian Hong has been approved by Rockland County Personnel and has officially accepted the position of Assistant Operator, Grade II-A (Water Treatment) within the Nyack Water Department. Mr. Hong's start date is scheduled for October 6, 2025. He will enter a one-year traineeship, during which he will gain the hands-on experience required for licensure. While candidates may complete the necessary coursework in advance, New York State Department of Health regulations require a minimum of one (1) year of experience in a water treatment facility before a walkthrough evaluation or license approval for the 2A Water Treatment Plant Operator license can take place. This requirement ensures that operators possess technical expertise, regulatory understanding, and

practical skills needed to protect public health and maintain full compliance with drinking water standards. By the end of the traineeship, Mr. Hong will meet all qualifications for permanent appointment to the Assistant Operator, Grade II-A position.

At 5:33 PM, upon motion by Commissioner Phillips, second by Chairman McDowell, and carried, the Board moved into executive session to discuss personnel issues. At 5:56 PM upon motion by Chairman McDowell, second by Commissioner Bullock, and carried the Board move out of executive session.

Our next meeting will be Thursday, October 16, 2025

There being no further business, upon motion by Commissioner Phillips, second by Commissioner Bullock, and carried, the meeting was adjourned at 5:57 PM.

Respectfully submitted,
Latoya Aguillard