Minutes of the regular meeting of the Board of Water Commissioners of the South Farmingdale Water District (SFWD), held in the Board Room of the SFWD Office at 40 Langdon Road, Farmingdale, NY on January 27, 2026 at 4:00 PM.

Present:

Commissioner Ralph Atoria, Chairman
Commissioner John Hirt, Treasurer
Commissioner Gary Brosnan, Secretary
James Edgette, Superintendent
Judy Walter, CPA, Business Manager

Willis B. Carman, Esq – Carman, Callahan & Ingham
Alison Auriemmo, PE – H2M Architects & Engineers

Minutes of the regular meeting held on January 13, 2026, were read aloud, unanimously approved by the Board, and signed by Secretary Gary Brosnan.

Mr. Carman presented his report. Mr. Carman discussed that he filed a motion to dismiss claims against the District in the Nico Construction Group, Inc. vs SJ Hoerning Construction Inc., and South Farmingdale Water District lawsuit.

Mrs. Auriemmo gave an update on current projects. She discussed with the Board the Distribution System Improvements project, SFWD 2551. Ms. Auriemmo informed the Board that the legal notice to bidders can be published in the "Nassau Observer" edition of January 29, 2026, with a bid opening date of February 17, 2026 at 4pm. The Board approved the dates and instructed Ms. Auriemmo to publish the legal notice to bidders in the "Nassau Observer."

Mrs. Auriemmo presented H2M Proposal No. LP260054 for Water Conservation Yearly Update Form for a lump sum fee of $2,200.00. After discussion, the Board unanimously **RESOLVED** to accept the proposal. A copy is on file at the District.

A discussion regarding the legal expenses that the District has incurred of approximately $10,000.00 to date due to the Nico Construction Group, Inc. vs SJ Hoerning Construction Inc., and South Farmingdale Water District lawsuit is still ongoing, and legal expenses are expected to accrue. The Board discussed and unanimously **RESOLVED** that H2M will send a letter to SJ Hoerning Construction Inc. stating the District intends to withhold the 5% retainage from on the AOP Treatment at PI No. 6, Contract G – General Construction contract pending resolution of the litigation and will utilize such retainage to pay for the District's associated legal expenses.

Mrs. Walter presented the October 2025 Treasurer's Reports including the Budget to Actual Report and Collateral Summary. The Board discussed and unanimously **RESOLVED** to accept the October 2025 budget adjustments to be made to the 2025 budget and that those adjustments be attached and made an official part of these minutes.

She also presented the Nassau County Civil Service Payroll Certification to the Board, it was reviewed, approved, and signed by Chairman Ralph Atoria.

Mrs. Walter discussed that Certificate of Deposit #8406 will mature on January 29, 2026 in the amount of $1,023,889.05. She discussed with the Board that this CD was initially funded with the intermunicipal grant distribution and according to the 2026 budget, the CD should be closed and the money sent to the Town of Oyster Bay to apply towards BAN authorization H1911. The Board unanimously **RESOLVED** to close the CD and instructed Ms. Walter to prepare a check for the Town of Oyster Bay.

Mr. Edgette gave an update on current operations.

The Board discussed the American Water Works Association, New York Section, New York's Water Event Conference scheduled to be held in Saratoga Springs, NY, April 14, 2026 through April 16, 2026. The Board unanimously **RESOLVED** that Commissioners Ralph Atoria and Gary Brosnan are approved to attend and that expenses incurred for lodging, meals and tolls are approved. All other expenses are to be paid by the District in accordance with District policy.

There being no further business, a motion to adjourn was carried.

I certify that the above is a true copy of the minutes.

Gary Brosnan, Secretary
SFWD Board of Commissioners