

MINUTES OF MEETING OF THE BOARD OF COMMISSIONERS
of
JERICHO WATER DISTRICT

held remotely via telephone conference, on the 19th day of August 2020, at 8:30 A.M.

Present:	Commissioners	Thomas A. Abbate James Asmus Patricia Beckerle
	Attorney	Michael F. Ingham
	Superintendent	Peter F. Logan
	Business Manager	Kathleen Cannon
	Asst. Business Manager	Amanda Blum
	Engineer	Bill Merklin

In response to the restrictions and concerns relative to the Coronavirus (COVID-19) pandemic, today's meeting of the Board of Commissioners and all meetings until further notice will be held via a phone-conferencing platform pursuant to Governor Cuomo's most recent Executive Order 202.55. A roll call was taken to assure that those listed were in attendance and that a quorum of the Board was present. Members of the public were given the opportunity to call in and listen to the meeting live. The Board Meeting was recorded and will later be transcribed. A notice was posted on the District's website, www.jerichowater.org, stating same on April 6th, 2020.

Commissioner Abbate opened the Board Meeting with an update pertaining to continued efforts of the District to address the COVID-19 virus pandemic:

Miss Cannon then reported that she and Mr. Ingham had reviewed the proposal for 48-hour COVID-19 testing from Dr. Gardyn of Nassau Suffolk Internal Medicine, Amityville NY and recommended the Commissioners approve the proposal. Under the contract, the District would pay \$175 per COVID-19 Nasal Swab Test with a \$25 administrative fee to send out reports. The contract streamlines the testing process so that tests are acquired in a timely manner, test results have an appropriate turn-around time and the District is made aware of the official results. After discussion, the Commissioners agreed and requested Miss Cannon execute the contract on behalf of the District.

Mr. Ingham then reported that Governor Cuomo extended his executive order 202.48 in executive order 202.55 further suspending the in-person meeting requirement of the Open Meetings Law until September 4th, 2020. Commissioner Abbate recommended the District conduct their September 2nd, 2020 regularly scheduled Board Meeting, September 3rd, 2020 Budget Hearing, and the September 4th, 2020 Bid Opening via teleconference, and then reconvene after the next executive order is received by the Governor.

Minutes of the previous meeting(s) were read and approved unanimously.

Miss Cannon then presented the to the Commissioners a draft of the 2021 Proposed Operating Budget, the five-year Capital Plan and supporting schedules for their review and comments. Miss Cannon reported that the overall draft budget for both revenue and expenditures equaled \$14,502,361 which was a 15.33% increase over the 2020 Adopted Budget. Miss Cannon further indicated that the draft budget included a 5.5% increase in the District's water rates (maintaining Outside District Rates at 30% higher than Inside District Rates) as per the recommendation of Municipal Financial Services Group (now New Gen Strategies) Tax and Water Rate Model. The draft 2021 Proposed Operating Budget also includes an increase in the tax levy of 43% or an average of \$35.40 per household per annum. Miss Cannon indicated that several key expenditure estimates from NYS have not yet been released, including the NYS Retirement and NYSHIP projections, if these are received prior to the budget hearing, expenditures will be updated. After a thorough review of the line items in the draft 2021 Proposed Operating Budget and the 2021 Five Year Capital Plan, the Commissioners directed Miss Cannon email them the final 2021 Proposed Operating Budget prior to posting it for public view on Friday, August 28th, 2020 before the September 3rd, 2020 9:00AM Budget Hearing.

Monthly report of Engineer was read and ordered filed.

1. McCoun's Lane Water Main Improvements: Notice to proceed has been given and work has commenced. Easement surveying work will be performed in the fall.

Mr. Logan reported that there will be a minor contract modification to discontinue a 4" service from New York American Water to be taken over by Jericho Water District since the service is large (and not a normal disconnect) New York American Water has agreed to supply the valve, valve box and the hydrant.

2. LIU Post Water Distribution Improvements: NYSDOT resubmittal has been sent. D&B has submitted a proposal amendment for additional work required during the design phase and updating construction phase service fees. Waiting on receipt of funds from developer before starting bidding and construction process.

Mr. Merklin then presented to the Commissioners a proposal amendment to the original September 28th, 2018 proposal for engineering services for the LIU Post Water Main Replacement in the amount of \$16,000.00 amending the originally approved fee from \$67,000.00 to \$83,000.00. Mr. Merklin reported that the amendment is based upon the extensive amount of coordination and scope changes with LIU, their consultant as well as additional requirements from the NYSDOT. Additionally, the amendment addresses updated Construction Service fees to address the final scope of the project and increased billing rates since the original

proposal dated September 28th, 2018. After discussion and upon motion duly made and seconded, it was

RESOLVED that the Commissioners approve D&B's request for proposal amendment to their fee for engineering services for the LIU Post Water Main Replacement in the amount of \$16,000.00, thereby amending their original contract from \$67,000.00 to \$83,000.00 to be paid by the developer.

VOTE	AYES	3	NOES	0	ABSENTIONS	0
Commissioner Abbate			AYE			
Commissioner Asmus			AYE			
Commissioner Beckerle			AYE			

3. Kirby Lane AOP: Detailed design is underway.
4. Southwoods Road Test Well: Water quality sample results delayed due to power outage at the lab.
5. PTAS at Wells 6 & 16: D&B is preparing the detailed design.
6. Requirements Contracts: No update since last meeting.
7. Split Rock Tank Rehabilitation: Contract documents for the Rehabilitation project are available for bidders. Bids will be opened on September 4th. D&B is kicking off the preparation of contract documents for the Booster Pumping Station and Drainage Improvements contract.
8. Marriott at Milleridge Inn Water Main: Waiting for receipt of funding from the developer to proceed to bidding and construction phase.
9. Well 17 GAC Treatment for Simazine Removal: D&B is addressing JWD comments on the draft contract documents.
10. Well 4 & 31 Pump Rehabilitation: D&B is working with A.C. Schultes to develop the project schedule. The work will start in the fall and be completed before spring of 2021.
11. Tam O'Shanter Development: Waiting for a response from the developer to our most recent correspondence.
12. Country Club Developers: Reviewing draft specifications.
13. 2020 EFC Grant Applications: D&B is attending a webinar at 10:00 am today pertaining to the next round of EFC grants. D&B is preparing the

Engineering Reports for the grant applications. Decision needed weather to include EFC packet in bid documents.

14. Syosset Tank Condition Assessment: No update from last meeting.
15. Aveley Residential Development: D&B is holding on the evaluation of the request for water availability until funds have been received by JWD.
16. Cerro Wire Site- Request for Water Availability: VHB responded yesterday to the letter requesting additional information. D&B will review the information and discuss with the District.
17. Capital Plan Update: This work has been completed for use by JWD to prepare the budget.
18. Jericho Tank Condition Assessment: No update from last meeting.
19. Silver Path Estates Request for Water Availability: Work will commence upon receipt of funding from the developer.
20. GAC at Well No. 20: Recent samples has exceeded the MCL and the well has been removed from service. D&B is working with JWD to develop a fast-track project plan.
21. Well No. 15 Site Evaluation: Discussion was held on whether to evaluate this site for the potential to drill a new well. The Board determined that this site is not a good candidate for consideration of a new well. The property will be sold.
22. Woodbury Tank Altitude Valve: D&B has submitted a proposal for the design of an altitude valve and other miscellaneous improvements at the Woodbury Tank.

Mr. Merklin then presented the Commissioners with a proposal from D&B Engineers and Architects, P.C. to provide plans and specifications, assist with permitting and to provide bidding and construction services for the construction of an altitude valve vault at the Woodbury Tank site in the not to exceed fee of \$62,000.00. Under certain operating conditions, the Woodbury Tank overflows into the blowoff pit near Orchard Drive, an altitude valve is proposed to prevent this overflow condition in the future. After discussion and upon motion duly made and seconded, it was

RESOLVED that the Commissioners approve D&B's proposal to prepare plans and specifications, assist with permitting and to provide bidding and construction services for the construction of an altitude valve vault at the Woodbury Tank site in the not to exceed fee of \$62,000.00.

VOTE	AYES	3	NOES	0	ABSENTIONS	0
	Commissioner Abbate		AYE			
	Commissioner Asmus		AYE			
	Commissioner Beckerle		AYE			

The Board of Commissioners then expressed their desire to fund the Woodbury Tank Altitude Valve by appropriating the Repair Reserve (A-0880) Miss Cannon informed the Commissioners that as per General Municipal Law § 6-d the District must hold a public hearing before electing to appropriate moneys from the repair reserve. After discussion and upon motion duly made and seconded the Commissioners unanimously passed the following resolution:

RESOLUTION SCHEDULING A PUBLIC HEARING TO CONSIDER AUTHORIZING THE APPROPRIATION OF FUNDS FROM THE REPAIR RESERVE AND FROM EXCESS BALANCE IN A CAPITAL PROJECT ACCOUNT ORIGINALLY FUNDED FROM THE REPAIR RESERVE FOR THE CONSTRUCTION OF AN ALTITUDE VALVE VAULT AT THE WOODBURY TANK SITE IN THE AMOUNT OF \$375,000.00.

WHEREAS, the Board of Commissioners approved appropriated funds be set aside for the purpose of establishing a Repair Reserve Fund in accordance with § 6-d of General Municipal Law; and

WHEREAS, effective August 19, 2020 the Repair Reserve Fund (A-0880) had a balance of \$515,008.37; and

WHEREAS, as of August 19, 2020 capital project account no. H-8397-875-2020 Fuel Tank Monitoring System had an excess balance of \$42,681.53 which was originally funded from appropriating funds from the Repair Reserve(A-0880); and

WHEREAS, the Superintendent of the District has reported that during certain operating conditions the Woodbury Tank overflows into the blowoff pit near Orchard Drive; and

WHEREAS, constructing an altitude valve vault would prevent this overflow condition from happening in the future; and

WHEREAS, D&B Engineers and Architects estimated the total cost of constructing a new altitude valve vault at the Woodbury Tank site to be \$375,000.00, including engineering, legal, surveying and a contingency allowance; and

WHEREAS, General Municipal Law § 6-d requires the District hold a public hearing before electing to appropriate moneys from a repair reserve with at least five days'

notice between the publication of the notice of hearing and the date specified for the hearing, and

WHEREAS, the funding of capital improvement projects from the repair reserve in the Jericho Water District is a Type II action pursuant to SEQRA as defined by 6 N.Y.C.R.R. §617.5 (c)(1)(2) and therefore no further SEQRA review is required; and

NOW THEREFORE,

BE IT RESOLVED, that the Board of Commissioners hereby schedules a public hearing to be held on the 3rd of September 2020 at 9:00 a.m. at the Jericho Water District, 125 Convent Rd., Syosset, New York to consider the appropriating \$332,318.47 from the Repair Reserve (A-0880) and transferring \$42,468.53 from capital project no. H-8397-875-2020 Fuel Tank Monitoring System for the purpose of funding the construction of an altitude value vault at the Woodbury Tank site in the amount of \$375,000.00; and

FURTHER BE IT RESOLVED THAT the Treasurer/Clerk is hereby authorized and directed to publish a Notice of Hearing in the District's official newspaper at least five days before the hearing date of September 3rd, 2020.

VOTE	AYES	3	NOES	0	ABSENTIONS	0
Commissioner Abbate			AYE			
Commissioner Asmus			AYE			
Commissioner Beckerle			AYE			

Mr. Ingham then reported regarding the adoption of the MCL's on 1,4-Dioxane and PFOA(S). Mr. Ingham requested Mr. Merklin share his deferral action plan with Mr. Logan and himself to be proactive ahead of the New York State Department of Health (NYSDOH issuing their guidance document on how the deferral will be implemented.

Mr. Ingham then reported that he put Caldwell Tanks and their bonding company on notice that the Wheatley site was vacated as of July 24th, 2020 and liquidated damages were therefore suspended. Caldwell is required to return to the site on October 1st, 2020 to complete the painting of the Wheatley Tank, and liquidated damages will begin to be assessed once again.

Mr. Ingham then requested Mr. Merklin prepare a proposal for engineering fees to replace the tracer wire for the Nitrate Removal Plant Raw Water Main that was broken by Merrick Utilities while installing the second section of pipe (from the NYSDPW recharge basin east to the transition point behind Well #4). Mr. Ingham instructed the District to make plans to repair the tracer wire in 2021 so that it can be used in the litigation against Merrick Utilities.

Mr. Logan reported that all analysis of wells and bacteriological sampling for the period August 4, 2020 to August 18, 2020, had been completed and all were within state and federal standards. As was mentioned earlier in the Engineer's Report, Well No. 20 was removed from service due to exceedance of the MCL for simazine. The sample collected on July 20th showed a result of 5.3 ug/L; the previous sample from earlier in July showed a level of 0.49 ug/L. All of the proper protocol with regards to a sample result greater than the MCL from the NCDOH were followed. The sampling of all wells for 1,4-Dioxane was conducted, with the results for Well No. 20 being reported at 0.7 ppb, which is higher than previous sample results.

Mr. Logan then reported to the Commissioners that he reviewed the one (1) bid received on August 7th, 2020 for Contract No. G10-20, Replacement of Granular Activated Carbon at Various Wells and found all to be in order. The bid package was requested by four other contractors who did not bid for various reasons. Nichem Company could not meet the bid specs requirement for domestic carbon as their carbon comes from China, ConstructConect publicizes bid specs on their portal (but does not bid themselves), and Carbon Activated Corp. and Cabot Norit Activated Carbon declined to bid. Calgon Carbon Corp. of Moon Township, PA was the low bidder for the contract with a total bid price of \$194,804.00 for Line #1-5 and \$33,295.00 for Line #6-11. Based on his findings of the Contractor's past and present performances, and his review of the bid proposal, Mr. Logan recommended award of Contract No. G10-20, Replacement of Granular Activated Carbon at Various Wells be made to Calgon Carbon Corp. for the total bid amount of \$228,099.00. After discussion and upon motion duly made and seconded, it was

RESOLVED that Contract No. G10-20, Replacement of Granular Activated Carbon at Various Wells be awarded to Calgon Carbon Corp. of Township, PA, the lowest responsible bidder with a bid that conforms to the bid specifications of the District in the amount of \$228,099.00 to be charged to Operating Account No. A-8330-000-4690 Carbon Replacement (if and when a carbon exchange occurs).

VOTE	AYES	3	NOES	0	ABSENTIONS	0
Commissioner Abbate			AYE			
Commissioner Asmus			AYE			
Commissioner Beckerle			AYE			

Mr. Logan then reported on the one (1) bid received on August 7th, 2020 for Contract No. G11-20, Furnishing of Sodium Chloride "Solar Salt". Mr. Logan requested additional time to review the bid after discovering two other Long Island water districts were paying approximately 40% less than the amount of the bid JWD received. The Commissioners requested that Mr. Logan try to negotiate with the vendor and report back to them so they may render a decision.

Mr. Logan then reported that he received a request from consumer J. Mitchel, Account No. 50404060-0 requesting the District remove all five (5) non-access fines in the total amount of \$1,250.00 on his account due to not receiving notice of the fines being assessed. After review of the consumers account, the District did not send the final deadline letter certified return receipt requested (as this was not a requirement of the District's Policy for Non-Access to Meter at the time). After discussion, the Commissioners agreed to waive the non-access fines assessed on the account in the total amount of \$1,250.00 and instructed Miss Cannon to send the consumer a revised bill and letter stating same.

Mr. Logan then followed up with the Commissioners on the request he received from consumer E. Schwartz on Account No. 50121600-0 requesting relief due to negligence on behalf of the District when the consumer's meter was changed causing a leak in the meter pit. After investigation, it could not be determined that the leak on the consumer's service was due to a district employee changing the meter. Mr. Logan indicated that it is the District's policy to bill the consumer based on their three (3) year average usage for that time period and not for all water that passes through the meter since the consumer has no control over the meter. After discussion, the Commissioners instructed Miss Cannon to adjust Mr. Schwartz's bill for the 4th quarter of 2019, 1st quarter of 2020 and 2nd quarter of 2020. The Commissioners also agreed to reimburse Mr. Schwartz for the amount of the bill from the plumber who made the repair.

Mr. Logan then informed the Commissioners that he received a request from consumer, Syosset Equities LLC, Account No. 46601786-0 for a reduction to their water bill due to a defective motorized domestic water valve being stuck in the open position. After discussion, the Commissioners instructed Mr. Logan to review the consumers account and report back to them so they may render a decision.

Mr. Logan then presented the Commissioners with contract modification no. 6 written and approved by H2M for Contract No. C6-17 Nitrate and VOC Removal Facility, Mechanical Contract with Philip Ross Industries. The contract modification is for the additional cost associated with the removal of a portion of gas header piping, to furnish and install one (1) 3" gas regulator and 3" piping for the not to exceed fee of \$4,857.60. Modifications are necessary to regulate the correct gas flow to the emergency generator. After discussion and upon motion duly made and seconded it was

RESOLVED that the Commissioners approve contract modification no. 6 for Contract No. C6-17 Nitrate and VOC Removal Facility, Mechanical Contract for Well No. 14 installation of a 3" gas regulator and piping in the not to exceed fee of \$4,857.60.

VOTE	AYES	3	NOES	0	ABSENTIONS	0
	Commissioner Abbate		AYE			
	Commissioner Asmus		AYE			

Commissioner Beckerle

AYE

Mr. Logan then presented to the Commissioners a letter from Mr. Anthony Trombino of H2M architects + engineers dated August 4th, 2020 requesting additional Engineering Fees for the New 1.5 MG Elevated Water Storage Tank at Wheatley Road Site in the amount of \$242,396.00. Mr. Trombino indicated that the additional engineering fees requested were due to the additional full-time inspection required (rather than part-time inspection) to complete the project. After discussion, the Commissioners requested Mr. Logan to request H2M architects + engineers attend the September 3rd, 2020 Meeting after the Budget Hearing to report on the Wheatley project and further discuss their request.

Miss Cannon then presented and reviewed with the Commissioners a Cash Balance/Cash Deposit report as of August 17th, 2020. After discussion, the report was ordered filed.

Miss Cannon then presented and reviewed with the Commissioners a Purchase Order by Expense Account Report listing all purchase orders issued between August 4th, 2020 and August 17th, 2020. After discussion, the report was ordered filed.

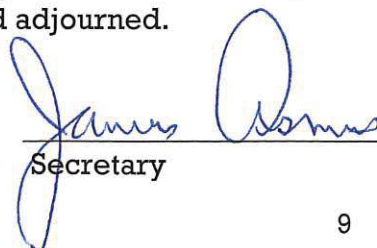
Miss Cannon then presented and reviewed with the Commissioners the Budget to Actual Reports for the month ended July 31st, 2020. After discussion, the report was ordered and filed.

Miss Cannon then reported that the Bank Reconciliations for the month of July 2020 were completed and reviewed. After discussion, the Commissioners ordered the Bank Reconciliations filed.

Miss Cannon then informed the Commissioners that she received a request to waive a penalty on Account No. 21150820-0 in the amount of \$174.49. Miss Cannon informed the Commissioners that no penalty had been waived on this account in the last five (5) years. After discussion, the Commissioners authorized Miss Cannon to waive the penalty on the account and instructed her to send the consumer a revised bill.

The following claims were then audited and approved for payment: General Fund #24704 to #24739, Construction Fund #2516 to #2519, and Installation Fund #4109 to #4111.

There being no further business, the meeting was, upon motion duly made and seconded and adjourned.


Secretary