

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

held remotely via telephone conference, on the 1st day of July 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 Executive Order 202.1. 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](http://www.jerichowater.org), stating same on April 6<sup>th</sup>, 2020.

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

Mr. Logan reported that automated plumbing fixtures for the office and the shop bathrooms have been received and are awaiting installation. The automatic soap dispensers, paper towel dispensers and light switches have been installed in the office bathrooms.

Mr. Logan informed the Commissioners that the Long Island Water Conference weekly COVID-19 conference call will be ending today. While these calls started out as 3 times per week at the beginning of the pandemic, they have since been reduced to once a week. The general consensus from the participants was that going to a once a month call would be more practical.

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

Monthly report of Engineer was read and ordered filed.

1. McCoun's Lane Water Main Improvements: D&B has prepared a recommendation letter for Award of the open-cut portion of the project.

Easement surveying work may need to be postponed until fall due to overgrowth.

Mr. Merklin then presented to the Commissioners a letter from Mr. Sachs of D&B stating he had reviewed the seven (7) bid proposals received on June 19<sup>th</sup>, 2020 for Contract No. C13-17A Water Main Improvements on McCouns Lane (Open Cut). A pre-award meeting was attended by the District, D&B and Bancker Construction Corp to discuss unit bid values and how an appropriate credit could be developed to address the deletion of top course pavement construction from the contract, as it relates to the anticipated resurfacing of McCouns Lane by the Village of Old Brookville. Based on his findings of the contractor's past and present performance, and his review of the bid proposal, Mr. Sachs recommended the Commissioners award Contract No. C13-17A to the low bidder, Bancker Construction Corp. of Islip, New York in the amount of \$758,586.40 with a \$20,000.00 credit value to be provided by the Contractor to the District (contract modification to follow after the award of the contract). After discussion and upon motion duly made and seconded, it was

RESOLVED that Contract No. C13-17A Water Main Improvements on McCouns Lane (Open Cut) be awarded to Bancker Construction Corp. of Islip, New York, as the lowest responsible bidder with a bid that conforms with the bid specifications of the District in the amount of \$758,586.40 to be charged to capital project no. H-8397-868-2300 Water Main Improvements on Mc Couns Lane.

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

Miss Cannon reported to the Commissioners that Capital Project No. H-8397-868-2300 Water Main Improvements was originally estimated to cost \$1,100,000.00 and is now estimated to cost \$1,262,000.00; thereby requiring an additional \$162,000.00 in funding be approved. After discussion and upon motion duly made and seconded the Commissioners unanimously passed the following resolution:

**RESOLUTION AUTHORIZING THE TREASURER TO TRANSFER FUNDS WITHIN THE CAPITAL IMPROVEMENT RESERVE FUND FOR THE PURPOSE OF PROVIDING ADDITIONAL FUNDING FOR WATER MAIN IMPROVEMENTS ON MC COUNS LANE IN THE AMOUNT OF \$162,000.00.**

**WHEREAS**, the Board of Commissioners approved appropriated funds be set aside for the purpose of Capital Improvements by establishing a Capital Improvement Reserve Fund in accordance with § 6-c of General Municipal Law; and

**WHEREAS**, effective June 30, 2020 the Capital Improvement Reserve Fund (A-0878) had a balance of \$1,768,768.88; and

**WHEREAS**, the Board of Commissioners at their July 12, 2017 Board Meeting appropriated \$1,100,000.00 for Water Main Improvements on Mc Couns Lane from the Capital Reserve Fund, (A-0878); and

**WHEREAS**, the District received bids on October 4, 2019 for Water Main Improvements on Mc Couns Lane (Directional Drill Portion of Project) with the lowest bid equal to \$348,203.00; and

**WHEREAS**, the District received bids on June 19, 2020 for Water Main Improvements on Mc Couns Lane (Open Cut Portion of Project) with the lowest bid equal to \$758,586.40; and

**WHEREAS**, engineering, legal, surveying fees and a contingency allowance have been approved in the amount of \$155,210.60 which revises the total estimated cost of the project to \$1,262,000.00 from the original estimate of \$1,100,000.00, thereby requiring an additional \$162,000.00 in funding to complete this project; and

**WHEREAS**, as of June 30, 2020 the capital project accounts, (originally funded by appropriating the capital reserve fund), had the following excess balances:

H-8397-829-2102	Roof Replacement	\$ 36,953.32
H-8397-837-2102	Security system Upgrades	\$ 21,327.54
H-8397-850-2303	Rehabilitation of Well No. 12	\$ 47,189.01
H-8397-859-2300	Wheatley Rd. Water Main Replacement	\$ 945.52
H-8397-860-2300	Wishing Well Lane Improvements	\$ 196.28
H-8397-871-2102	PH No. 3 Building Improvements	\$ 15,388.33
H-8397-873-2102	PH No. 12 Building Improvements	\$ 40,000.00
	Total	\$162,000.00

**WHEREAS**, the Board of Commissioners desires to transfer the excess balances from the above listed closed capital projects to Capital Project No. H-8397-868-2300, Water Main Improvements on Mc Couns Lane in the amount of \$162,000.00; and

**WHEREAS**, funds would be transferred from the excess balance in the existing capital project account initially funded from the Capital Improvement Reserve Fund (A-0878) without incurring any additional debt service payments for principal and interest and, therefore be cost beneficial to the District taxpayers; and

**WHEREAS**, this resolution is adopted subject to permissive referendum as set forth in Town Law Section 90 and shall take effect thirty (30) days after its adoption or, if a referendum is held, upon the affirmative vote of a majority of the qualified electors of the issuer voting on the referendum; and

**WHEREAS**, the funding of capital improvement projects 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)(5) and therefore no further SEQRA review is required; and

**NOW THEREFORE,**

**BE IT RESOLVED** that the Board of Commissioners hereby authorizes the transfer of \$162,000.00 from the following capital projects:

H-8397-829-2102	Roof Replacement	\$ 36,953.32
H-8397-837-2102	Security system Upgrades	\$ 21,327.54
H-8397-850-2303	Rehabilitation of Well No. 12	\$ 47,189.01
H-8397-859-2300	Wheatley Rd. Water Main Replacement	\$ 945.52
H-8397-860-2300	Wishing Well Lane Improvements	\$ 196.28
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Total		\$162,000.00

to capital project account no. H-8397-868-2300 Water Main Improvements on Mc Couns Lane.

**FURTHER BE IT RESOLVED THAT** the Treasurer/Clerk is hereby authorized and directed to, within ten (10) days after the adoption of this resolution, cause this resolution to be published in the District's official newspaper and (b) posted on both the sign boards of the Town of Oyster Bay and the District pursuant to Town Law, together with a notice of adoption thereof.

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

Mr. Merklin then continued his bi-weekly report:

2. LIU Post Water Distribution Improvements: Contract documents have been submitted to NCDH for review. Expedited review requested. Working on NYSDOT resubmittal. Updated cost estimate has been provided to Mr. Logan & Mr. Ingham. Mr. Ingham will send the draft Developer's Contract to the Commissioner for their review and approval.
3. Kirby Lane AOP: No update since last meeting.
4. Southwoods Road Test Well: The test well and test pump have been installed. Development will begin this week and will require up to 200 hours of pumping before tests will begin.

5. PTAS at Wells 6 & 16: No update since last meeting.
6. Requirements Contracts: No update since last meeting.
7. Well 12 Driveway Pavement Restoration: Work is underway and will be substantially completed late this week or next week.
8. Split Rock Tank Rehabilitation: No update from last meeting.
9. Marriott at Milleridge Inn Water Main: NCDH approval has been received. Waiting for receipt of funding from the developer to proceed to bidding and construction phase. Mr. Ingham will send the draft Developer's Contract to the Commissioner for their review and approval.
10. Well 17 GAC Treatment for Simazine Removal: A Basis of Design Report (BODR) will be submitted shortly.
11. Well 4 & 31 Pump Rehabilitation: No update from last meeting.
12. Tam O'Shanter Development: D&B's letter has been sent to the developer addressing questions from the developer. D&B has received a proposal from an appraiser to estimate the value of the property being requested.

Mr. Merklin then presented to the Commissioners a letter from McKeehan Appraisals, Inc. to perform an appraisal of a two-acre parcel in the Tam O'Shanter Development in the amount of \$500.00. After discussion, the proposal for appraisal was tabled for consideration at a later date.

13. Country Club Developers: Draft drawings sent to JWD for review.
14. 2020 Bond Issue: The Town has scheduled to vote on the petition on July 14<sup>th</sup>, 2020 which will be a public meeting. The resolution will then be recorded with the county clerk and published in the newspaper.
15. 2020 EFC Grant Applications: No change from last meeting.
16. Syosset Tank Condition Assessment: This work will be scheduled for fall 2020 and will be coordinated with the shutdown of the Split Rock Tank for scheduled maintenance.
17. Aveley Residential Development: D&B is holding on the evaluation of the request for water availability until funds have been received by JWD.
18. Cerro Wire Site- Request for Water Availability: Waiting for additional information to be provided.



Mr. Ingham requested D&B send the developer a letter stating a review is unable to be completed due to incomplete information.

19. Capital Plan Update: D&B met with JWD on June 30<sup>th</sup> to discuss the draft Capital Plan update.

20. Jericho Tank Condition Assessment: D&B has submitted a proposal for a condition assessment of the Jericho Tank.

Mr. Merklin then presented the Commissioners with a proposal from D&B Engineers and Architects, P.C. to provide engineering services associated with the Condition Assessment of the Jericho Elevated Water Storage Tank in the not to exceed fee of \$10,000.00. D&B will evaluate the tank's structural condition, sanitary compliance, security, safety compliance as well as sound design and operating practice using an ROV to inspect the tank's interior. After discussion, and upon motion duly made and seconded, it was

RESOVED that the Commissioners approve D&B Engineers and Architects P.C.'s proposal for engineering services associated with the Condition Assessment of the Jericho Elevated Water Storage Tank in the not to exceed fee of \$10,000.00 to be charged to Capital Account No. H-8397-017-2303 Jericho Tank Rehabilitation.

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

Mr. Ingham then presented the Commissioners Executive Orders No. 205 and 202.45 issued by Governor Cuomo which issues guidance for quarantine restrictions on travelers arriving in New York State. A discussion was held in regard to how these restrictions affect employees and the District's COVID-19 policies. The Commissioners instructed Miss Cannon to collaborate with Mr. Ingham to draft an employee memo for their review and approval.

Mr. Logan reported that all analysis of wells and bacteriological sampling for the period June 17, 2020 to June 30, 2020, had been completed and all were within state and federal standards.

Mr. Logan then presented the Commissioners contract modification no. 2, written and approved by D&B for Contract No. C2-20, Well No. 12/13 Paving and Curb Restoration with American Paving in the amount of \$9,125.00 to install an 8-ft diameter drywell as well as to install a leveling course where asphalt was uneven after the milling process. This change order amends the original contract amount

from \$98,551.11 to \$101,141.11 for a net change of \$2,590.00. After discussion and upon motion duly made and seconded, it was

RESOLVED, that the Commissioners approve contract modification no. 2 for Contract No. C2-20, Well No. 12/13 Paving and Curb Restoration with American Paving in the amount of \$9,125.00, net increase of \$2,590.00 to be charged to Capital Account No. H-8397-873-2102 Pump House No. 12 – Building Improvements.

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

Mr. Logan then reported that due to the unseasonably dry and hot weather conditions coupled with three wells currently out of service, the District is struggling to keep up with the irrigation demands of consumers primarily in the Brookville area. To alleviate the issue, Mr. Logan informed the Commissioners that the following have steps have been taken:

- A robocall was issued on June 22, 2020 to all residents requesting irrigation be reduced by 50%. After several more hot, dry days with little to no change in demand requirements and resident complaints, Mr. Logan issued an additional robocall on June 26, 2020 further restricting irrigation and requesting residents refrain from watering over the next 10 days.
- District personnel have been working during and after hours to issue violation notices to consumers who are irrigating on the incorrect day as per the Nassau County Lawn Watering Ordinances.
- An emergency notice was also posted on the District's website and was shared with surrounding villages.
- Progressive Marketing Group (PMG) is currently in the process of printing the District's Irrigation Schedule Mailer approved by the Board of Commissioners on June 17<sup>th</sup>, 2020, which divides the District into six irrigation zones to spread demand more evenly throughout the day.
- JWD has been working closely with D&B to use the hydraulic model to divert water from some areas to the Brookville area.
- Painting work has ceased on the Wheatley Tank, and all efforts are being redirected to put the new tank online to work in coordination with the old tank to increase water pressure in the area. The new tank is expected to be online within the next week.
- Mr. Ingham will collaborate with Mr. Logan to draft an informational statement for the Mayors of the surrounding villages to give further detail to the irrigation limitations being imposed.

Miss Cannon then presented and reviewed with the Commissioners a Cash Balance/Cash Deposit report as of June 30<sup>th</sup>, 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 June 17<sup>th</sup>, 2020 and June 30<sup>th</sup>, 2020. After discussion, the report was ordered filed.

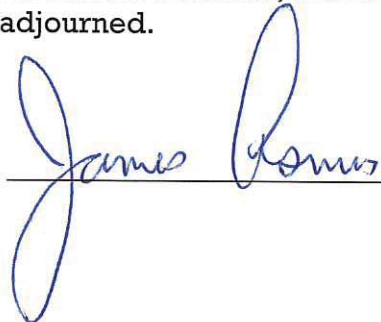
Miss Cannon then updated the Commissioners that Governor Cuomo recently amended Public Service Law as discussed at the last meeting. The amendment requires the District to allow residential customers experiencing financial hardship due to COVID-19 to defer bills without incurring penalties or late fees for a period of one hundred and eighty (180) days after the COVID-19 state of emergency is lifted. A special message will be printed on the July, August and September consumer bills, as well as on the District's website explaining the process to defer bills. Miss Cannon then presented the Commissioners with the final version of the District's Payment Deferral Request Form which was reviewed and approved.

Miss Cannon then informed the Commissioners that she received a request to waive a penalty on Account No. 21308250-0 in the amount of \$189.88. 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.

At 9:47 AM the Board of Commissioners went into Executive Session to discuss legal and personnel matters.

The following claims were then audited and approved for payment: General Fund #24566 to #24622 and Construction Fund #2510 to #2512.

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

  
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Secretary