

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

held remotely via telephone conference, on the 17th day of February 2021, 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	William 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 202.87. 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.

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

Monthly report of Engineer was read and ordered filed.

1. Well 20 & 21 AOP Treatment: D&B is working with JWD to develop a scope of work and proposal for this project.
2. Well 22 Facility Improvements & AOP Treatment: Pilot Testing Protocol preparation and Preliminary Design is underway.
3. Kirby Lane AOP: A Draft Basis of Design Report (BODR) has been submitted for JWD review. Detailed design is underway.
4. Southwoods Road -New Well and Treatment Facility: The Contractor is abandoning the test well. D&B is preparing the Design Report and contract documents for construction of the permanent well. Design of the Well House and Treatment Facility is underway.

5. PTAS at Well 6 & 16: Bonds, insurance and contract execution is in progress.
6. Well 17 GAC Treatment for Simazine Removal: Construction is underway.
7. Well 20 GAC Treatment for Simazine Removal: Construction is underway.
8. Split Rock Tank Rehabilitation and Booster Station: The tank rehabilitation work is underway. Preparation of contract documents for the Booster Pumping Station and Drainage Improvements is underway. A design meeting has been scheduled with JWD.
9. Syosset Tank Replacement Planning: D&B is working with JWD to develop a plan and schedule for the replacement of the Syosset Tank. This will include an evaluation of tank styles and overall planning for the Main Plant Site.
10. Jericho Tank Condition Assessment: D&B is preparing the draft report for review by JWD.
11. Woodbury Tank Altitude Valve: The contract execution process is underway.
12. Requirements Contracts: CBS/PBS Tank Alarm Maintenance & Repairs – An updated recommendation letter has been submitted. Water Service Gooseneck Replacements – JWD is reviewing draft.

Mr. Merklin then presented to the Commissioners a letter from Christopher Melillo of D&B Engineers and Architects P.C. stating that he had reviewed the three (3) bid proposals received on January 29th, 2021 for Contract No. G1-21 Requirements Contract for Chemical Bulk Storage & Petroleum Bulk Storage Tank Alarm Maintenance and Repairs. Each bidder was evaluated based on the contract duration of three years. Based on his findings of the contractor's past and present performance, and his review of the bid proposal, Mr. Melillo recommended the Commissioners award Contract No. G1-21 to Aventura Construction Corporation of Holtsville, New York, as the lowest bid price (year 1 through year 3) in the amount of \$50,260.00 for the remainder of 2021 with an option to renew for two (2) additional years at a 5% increase per year (1/1/2022-12/31/2022 and 1/1/2023-12/31/2023). After discussion, and upon motion duly made and seconded, it was

RESOLVED that Contract No. G1-21 Requirements Contract for Chemical Bulk Storage & Petroleum Bulk Storage Tank Alarm Maintenance and Repairs be awarded to Aventura Construction Corporation of 1101 Waverly Avenue, Holtsville, New York, as the lowest responsible bidder with a bid that conforms with the bid

specifications of the District in the amount of \$50,260.00 with an option to renew for two (2) additional years at a 5% increase per year.

VOTE	AYES	3	NOES	0	ABSENTIONS	0
------	------	---	------	---	------------	---

Commissioner Abbate	AYE
Commissioner Asmus	AYE
Commissioner Beckerle	AYE

- 13. Wells 4 and 31 Pump Rehabilitation: Well 31 pump has been installed and water quality testing is underway. D&B is modifying the Well 4 pump design for a 150 hp motor.
- 14. McCoun's Lane Water Main Improvements: No update from last meeting.
- 15. Glen Head Water Main Improvements: No update from last meeting.
- 16. Main Plant SCADA Improvements: Proposal was approved by the Commissioners on 2/3/2021.

Mr. Logan reported regarding the cyber security hack to the Oldsmar, Florida Wastewater Facilities Control System through remote access software. The Jericho Water District's SCADA system, unfortunately, does operate on Windows 7; soon to be upgraded to the most current operating system through the Main Plant SCADA Improvements Project. Mr. Logan assured the Commissioners that this specific type of incident cannot happen at JWD. The District's hardware (specifically chemical injection pumps) are not connected to the SCADA system. SCADA allows the system to operate automatically, while still giving the operators the ability to turn well pumps on manually. All chemical pumps must be physically adjusted to increase or decrease the dosage. Even when the system is upgraded, chemical injection pumps will not be able to be adjusted remotely. Mr. Logan reviewed the bulletin from the Cybersecurity & Infrastructure Security Agency which provided security recommendations for Water & Wastewater Systems (forwarded to JWD from Nicole Morton of Salerno Brokerage Corp).

- 17. Transfer Switch Replacements: D&B has started the data collection and preliminary design work for replacement of automatic transfer switches (ATS) at Well 3, the Main Office and Well 29 & 30.
- 18. Emergency Response Plan (ERP) Update: Proposal was approved by the Commissioners on 2/3/2021.

19. Quarterly Deferral Reporting: D&B submitted a proposal for preparation of the quarterly reports required for the duration of the currently approved deferral period.

Mr. Merklin then presented to the Commissioners a proposal for the Assistance with Quarterly Deferral Compliance Reports in the not to exceed fee of \$23,000.00. D&B will assist with the required technical quarterly reports for the District's recently approved 1,4-dioxane compliance deferral and will work with JWD and Progressive Marketing Group to finalize documents to post on the District's website. The proposal covers reporting through the end of August 2022 (expiration of the deferral). After discussion, and upon motion duly made and seconded, it was

RESOLVED that the Commissioners approve D&B's proposal for the Assistance with Quarterly Deferral Compliance Reports in the not to exceed fee of \$23,000.00 to be charged to Operating Account No. A-8340-000-4430 Engineering Services.

VOTE	AYES	3	NOES	0	ABSENTIONS	0
------	------	---	------	---	------------	---

Commissioner Abbate	AYE
Commissioner Asmus	AYE
Commissioner Beckerle	AYE

20. Pandemic Preparedness: D&B has submitted a proposal for preparing the Pandemic Preparedness Response documents as required by the NYS Labor Law.

Mr. Merklin then presented to the Commissioners a proposal from Ms. Christina Berardi Tuohy, P.E. of D&B Engineers and Architects P.C. for the preparation of an Emergency Pandemic Preparedness Response Document in the not to exceed fee of \$4,500.00. The plan is required by a recent NYS labor law modification, Bill Number S8617-B, necessitating a plan for operations in the event of a declared public health emergency involving a communicable disease which must be completed by April 1st, 2021. The Emergency Pandemic Preparedness Response Document will be included in the District's Emergency Response Plan (ERP). After discussion, and upon motion duly made and seconded, it was

RESOLVED that the Commissioners approve D&B's proposal for the preparation of the District's Emergency Pandemic Preparedness Response Document for the not to exceed fee of \$4,500.00 to be charged to Operating Account No. A-8340-000-4430 Engineering Services.

VOTE	AYES	3	NOES	0	ABSENTIONS	0
------	------	---	------	---	------------	---

Commissioner Abbate	AYE
Commissioner Asmus	AYE

Commissioner Beckerle

AYE

21. Wells 18 & 19 Drainage Improvements: D&B submitted a proposal to design improvements to maximize the on-site blow off capacity.

Mr. Merklin then presented to the Commissioners a proposal for Engineering Services for the Well No. 18 & Well No. 19 Drainage Improvements at the Split Rock Road Location. The site currently has very limited drywell capacity, resulting in flooding of adjacent properties during well blow off. The proposal includes a Detailed Design in the amount of \$22,000.00, Bidding and Construction Services in the amount of \$7,000.00 and Part-Time Inspection Services in the amount of \$8,000.00 for a total not to exceed fee of \$37,000.00. After discussion, and upon motion duly made and seconded it was

RESOLVED that the Commissioners approve D&B's proposal for Engineering Services for the Well No. 18 & Well No. 19 Drainage Improvements at the Split Rock Road Location in the not to exceed fee of \$37,000.00. It was

FURTHER RESOLVED that the Commissioners expressed their desire to appropriate funds from the Capital Improvement Reserve Fund (A-0878) to Capital Account No. H-8397-881-2303 Well Nos. 18 & 19 Additional Drywells to fund the engineering for this project. After discussion, and upon motion duly made and seconded, the Commissioners passed the following resolution:

RESOLUTION AUTHORIZING THE TREASURER TO APPROPRIATE \$37,000.00 FROM THE CAPITAL IMPROVEMENT RESERVE FUND FOR THE PURPOSE OF FUNDING ENGINEERING TO INSTALL ADDITIONAL DRYWELLS AT WELL NOS. 18 AND 19 IN THE AMOUNT OF \$37,000.00

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 February 17, 2021 the Capital Improvement Reserve Fund (A-0878) had a balance of \$1,685,253.86; and

WHEREAS, the District received an engineering proposal from D&B Engineers & Architects in the amount of \$37,000.00 for the design to minimize flooding of adjacent properties to Well Nos. 18 & 19 that occurs during well blow. Specifically, by installing additional dry wells at this site; and

WHEREAS, the estimated costs for the installation of additional drywells with other improvements to minimize flooding during blow-off will be determined by D&B Engineers & Architects upon completion of their design; and

WHEREAS, the District will consider appropriating additional funding from the Capital Reserve fund to cover the costs of the installation of additional drywells at Well No. 18 & 19 after receiving and reviewing the cost estimate prepared by D&B Engineers and Architects; and

WHEREAS, the Commissioners wish to appropriate funds from the Capital Improvement Reserve Fund (A-0878) for engineering to install additional drywells at Well No. 18 & 19 in the amount of \$37,000.00; and

WHEREAS, funds would be appropriated from the Capital Reserve Fund Account 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 Treasurer to appropriate \$37,000.00 from the Capital Improvement Reserve Fund (A-0878) for the purpose of funding engineering costs for the installation of additional drywells at Well Nos. 18 & 19.

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

Status of Proposed Development Projects – Engineers Report

1. The Center for Developmental Disabilities (The Center) Water Main Improvements: D&B has submitted a proposal for design, permitting and construction services.

Mr. Merklin then presented to the Commissioners a proposal for engineering services for the Water Main Improvements for The Center for Developmental Disabilities (The Center) in the not to exceed amount of \$41,000.00 (which includes Design and Permitting of the Water Main and Services in the amount of \$22,000.00, Markout and Survey (if required) in the amount of \$12,000.00 and Design and Permitting of the Backflow Prevention Devices in the amount of \$7,000.00). The Center is renovating the facilities on site and desires to install new domestic and fire services for all three buildings on site. After discussion, and upon motion duly made and seconded it was

RESOLVED that the Commissioners approve D&B's proposal for engineering services for the Water Main Improvements for The Center for Developmental Disabilities (The Center) in the not to exceed amount of \$41,000.00 pending a signed engineering agreement and receipt of funds from the developer.

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

2. LIU Post Water Distribution Improvements: The Notice to Proceed (NTP) for this project will be on hold until early March, due to weather limitations.
3. Woodbury Hills Development: D&B will commence with the design of water mains once the District has executed an agreement and received funds from the developer. D&B has submitted a proposal to prepare a submittal to the Town of Oyster Bay requesting permission to install the Phase 2 water main in the existing Conservation Easement and restore the area with grass, in lieu of trees.

Commissioner Abbate recused himself from all discussions and decisions relating to the Woodbury Hills Development.

Mr. Merklin presented to the Commissioners a proposal for Engineering Services for the Woodbury Hills Development Water Main Improvements, Easement Investigation for Phase 2 Dead End Elimination in the not to exceed fee of \$6,000.00. To prevent the creation of a dead-end main, the District would like to install approximately 900 feet of 8-inch water main from the proposed development to Whitney Lane to the east and then south along Whitney Lane to connect to the existing water main on Woodbury Road. Based on preliminary drawings provided by the developer, it appears that an easement could be provided on Lot 5 of the subdivision to provide access to the Whitney Lane right of way. However, this area is currently designated as a conservation easement, which may not allow for the clearing of trees for a water main installation. After discussion, Commissioner Asmus

and Commissioner Beckerle tabled the decision regarding this proposal pending additional information.

4. Amazon Warehouse (former Cerro Wire Site): The Town has issued a Negative Declaration under SEQR.
5. Marriott at Milleridge Inn Water Main: No update from last meeting.
6. Country Club Developers: No update from last meeting.
7. Tam O'Shanter Development: No update from last meeting.
8. Aveley Residential Development: No update from last meeting.
9. Silver Path Estates Request for Water Availability: No update from last meeting.

Mr. Ingham reported that he had responded to the FOIL request received from Mr. Freier by letter dated February 16, 2021.

Mr. Ingham then reported that he, Commissioner Abbate, and Superintendent Logan attended a virtual meeting chaired by State Senator Gaughran with representatives from the Public Service Commission. The topic was a potential municipal acquisition of New York American Water in the Sea Cliff area. Senator Gaughran indicated that the bill he introduced to create a North Shore Water Authority encompassing the Sea Cliff area now has received sponsors in the Assembly as well. The representatives of the PSC indicated that they would be making a report directly on this issue to the Governor before the summer.

Mr. Logan reported that all analysis of wells and bacteriological sampling for the period February 3rd, 2021 to February 16th, 2021, had been completed and all were within state and federal standards.

Mr. Logan then presented to the Commissioners a letter from Ms. Brooke Crevcoure, Product Manager for Badger Meter Inc. regarding the alleged switched registers from the factory on the 6" compound meter installed at the Hoffman Center Nature Preserve and Wildlife Sanctuary (Account No. 26817300-0). After discussion, the Commissioners expressed their desire to discuss this issue in executive session.

Mr. Logan then presented to the Commissioners a draft Contract Modification on behalf of H2M engineers + architects in the amount of \$34,676.16 for Contract No. C5-17, Well Nos. 9 & 14 Nitrate and VOC Removal Facility – General Construction from Philip Ross Industries. The contract modification is due to the cost associated with piping modifications to uninstall and reinstall a backpressure valve. While the backpressure valve was installed correctly, the location it was originally installed in,

is not in a safe location to be able to repair and maintain. After discussion, and upon motion duly made and seconded, it was

RESOLVED that the Commissioners approved the draft Contract Modification for Contract No. C5-17, Well Nos. 9 & 14 Nitrate and VOC Removal Facility – General Construction from Philip Ross Industries in the amount of \$34,676.16 for piping modifications to install backpressure valve contingent upon a formal change order from H2M engineers + architects.

VOTE	AYES	3	NOES	0	ABSENTIONS	0
------	------	---	------	---	------------	---

Commissioner Abbate	AYE
Commissioner Asmus	AYE
Commissioner Beckerle	AYE

Mr. Logan reminisced about the old Wheatley Tank which was demolished this week after delivering water to residents of the Jericho Water District for nearly ninety-five years. Mr. Logan will memorialize pieces of the tank to preserve for historical value.

Miss Cannon then presented and reviewed with the Commissioners a Cash Balance/Cash Deposit report as of February 15th, 2021. 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 February 2nd, 2021 and February 15th, 2021. After discussion, the report was ordered filed.

Miss Cannon reported that the Bank Reconciliations for the month of January 2021 were completed. After discussion, the Commissioners ordered the Bank Reconciliations filed.

Miss Cannon then advised the Commissioners that she received a notification from First National Bank of Long Island (FNBLI) that the interest rate decreased from .40% to .35%. This decrease is the result of the country's economic state and is affecting all banks. Miss Cannon verified with FNBLI that the District's interest rate is still competitive when compared to other agencies in the same industry.

Miss Cannon then reported that District employee, Jonathan Wright has successfully completed his two-year traineeship in the title of Water Meter Servicer Trainee as of February 12th, 2021. On February 13th, 2021 he was made a permanent Water Meter Servicer with a \$1,000.00 increase to base salary as per the District's step and grade chart.

Miss Cannon then reported to the Commissioners that she filed the required Annual Standard Workday Resolution and Affidavit for Appointed and Elected Officials as per 2NYCRR 315.4.

Miss Cannon then informed the Commissioners that she received the following two (2) requests to waive penalties:

1. Account No. 55806250-0 in the amount of \$66.57
2. Account No. 70103311-0 in the amount of \$50.67

Miss Cannon informed the Commissioners that no penalty on any of the above accounts has been waived in the last five (5) years. After discussion, the Commissioners authorized Miss Cannon to waive penalties on the accounts listed above and instructed her to send revised bills.

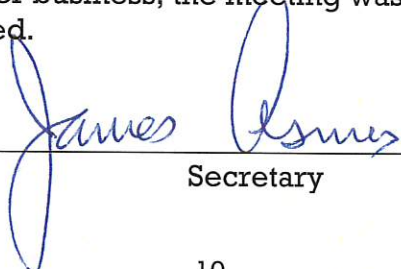
Miss Cannon informed the Commissioners that she received a request from a consumer, Account No. 25456000-0, requesting a reduction to his water bill due to a leak on his water service. Miss Cannon informed the Commissioners that a reduction to this bill would be in line with the District's policy to allow excess water usage, in excess of the three (3) year average usage, be charged at a rate equal to the District's cost to pump 1,000 gallons of water. Miss Cannon indicated that all required documentation had been received. The adjustment to this account resulted in the total water charge being reduced to \$1,396.98 from \$2,273.14, a reduction equal to \$876.16. After discussion, the Commissioners approved the reduction contingent upon receipt of paid plumber's bill from the consumer and instructed Miss Cannon to send a revised bill.

Miss Cannon then discussed with the Commissioners a request from a consumer, Account No. 55425000-0, requesting a reduction to her water bill from a leak in her water service from 9/27/2018-12/31/2019. The consumer has called the District several times, stating that she sent the required documentation, however, the District never receives the documentation. After discussion, the Commissioners tabled the consumers request pending further details.

The Board went into Executive Session at 10:13 a.m. to discuss pending litigation matters and personnel and reentered with no action taken.

The following claims were then audited and approved for payment: General Fund #25213 to #25239 and Construction Fund #2546.

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


Secretary