

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

held remotely via telephone conference, on the 3rd day of March 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.

Ms. Blum reported that there were two service department employees placed on a precautionary quarantine for ten days due to close-contact exposure to COVID-19 outside of the workplace. The employees took an initial baseline COVID-19 test, the results of which were both negative, resulting in no further contact tracing necessary for other JWD employees. The two employees remained symptom free throughout their quarantine and were retested, the results of which were also negative. One employee has been cleared to return to work today, the other will be returning tomorrow. The protocols and policies in place at JWD seem to be working well to reduce the spread of the virus.

Miss Cannon reported that she extended the hybrid work schedule for office staff through April 2, 2021.

Mr. Ingham reported that NYS Senate Bill S2588A, which relates to granting up to four hours of paid leave for public employees to receive a COVID-19 vaccination, has passed the senate and the assembly and will be delivered to the governor.

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 has submitted a proposal for the design, permitting and bidding phases of this project.

Mr. Merklin then presented to the Commissioners a proposal for engineering services for the design and construction of 1,4-Dioxane Treatment at Well No. 20 and 21 Stations, collectively the Stillwell Lane Facility. The proposal includes Pilot Testing for \$85,000.00, Basis of Design Report (BODR) for \$31,000.00, Detailed Design Services for \$450,000.00, Outside Services for \$92,000.00 and Bidding Services for \$12,000.00 for the total not to exceed fee of \$670,000.00. Due to the availability of funds for the project, Construction Phase Services are not included in the proposal at this time. Once the project moves into the Bidding Phase, D&B will submit a proposal for Construction Phase Services, EFC Grant Management and Startup and Commissioning Assistance. After discussion, and upon motion duly made and seconded, it was

RESOLVED that the Commissioners approve D&B's proposal to provide engineering services for the design and construction of 1,4-Dioxane Treatment at Well No. 20 and 21 Stations, in the not to exceed fee of \$670,000.00.

| | | | | | | |
|-----------------------|-------|-----|-------|---|-------------|---|
| VOTE | AYES: | 3 | NOES: | 0 | ABSENTIONS: | 0 |
| Commissioner Abbate | | AYE | | | | |
| Commissioner Asmus | | AYE | | | | |
| Commissioner Beckerle | | AYE | | | | |

Miss Cannon then recommended to the Commissioners that they fund the proposal from D&B Engineers and Architects, P.C. for engineering services for the design and construction of 1,4-Dioxane Treatment at Well No. 20 and 21 from the District's 2019 Bond Authorization including a required pilot study with additional testing costs in the amount of \$759,000.00, (\$670,000.00 for engineering and \$89,000.00 for required testing), by re-configuring the projects listed in the original bond authorization. The recommendation is to adopt a resolution and to publish an abstract of the resolution in the District's official newspaper notifying the Public of the change in projects originally approved in the 2019 Bond Authorization. Miss Cannon indicated that \$7,149,000.00 was approved in the 2019 Bond Resolution to fund a New 3 MG Tank & Booster Station and that this project has been put on hold for now as the District still needs to locate a piece of property for this tank to be built on. A more urgent need has emerged at Well No. 20 and 21 for the design and construction of an AOP Treatment System. This location has had detections of 1,4-dixoane over half of the Maximum Contamination Level (MCL). The Nassau County Department of Health (NCDOH) requires the District to commence with the design and construction of a treatment facility when detections exceed half of the MCL. These requirements warranted the District to put this project ahead of a New 3MG

Tank & Booster Station. After discussion, and upon motion duly made and seconded, the following resolution was then presented to the Board for their consideration:

RESOLUTION TO REALLOCATE FUNDING APPROVED IN THE DISTRICT'S 2019 BOND AUTHORIZATION TO FUND ENGINEERING COSTS FOR THE DESIGN AND CONSTRUCTION OF 1,4-DIOXANE TREATMENT AT WELL NO.20 AND 21 AND DECREASE THE FUNDING FOR NEW 3MG TANK AND BOOSTER STATION IN THE AMOUNT OF \$759,000.00

WHEREAS, On November 19, 2019 the Town of Oyster Bay passed Resolution No. 675B-2019 that authorized the issuance of \$33,229,000 in bonds for improvements to the facilities of the Jericho Water District; and

WHEREAS, Resolution No. 675B-2019 listed various improvement projects the District intended on funding through the issuance of these bonds; and

WHEREAS, the resolution stated the purpose of the bond was to pay costs for improvements to the District consisting of but not limited to these said project; and

WHEREAS, the District desires to reallocated funding from the New 3MG Tank and Booster Station to Well No. 20 and 21 AOP Treatment for engineering to design and construction of 1,4-dioxane treatment at Well No. 20 and 21 in the amount of \$759,000.00.

NOW THEREFORE,

BE IT RESOLVED, that the Board of Commissioners hereby authorizes the Treasurer to transfer \$759,000.00 from Capital Project No. H-8397-018-2303 New 3MG Tank and Booster Station to H-8397-021-2303 Well No. 20 and 21 AOP System for the purpose of funding engineering for the design and construction of 1,4-dioxane treatment at Well No. 20 and 21.

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

2. Well 22 Facility Improvements & AOP Treatment: Pilot Testing Protocol preparation and Preliminary Design is underway.

3. Kirby Lane AOP: The Basis of Design Report (BODR) is being finalized to address JWD comments and will be submitted to NCDH for approval this week.
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 and treatment facility.
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. D&B submitted a proposal amendment for additional design and construction services required to reduce construction costs.

Mr. Merklin then presented the Commissioners with an amendment to the original January 6, 2020 proposal (and amended August 5, 2020) for engineering services for the Installation of GAC System at JWD Well No. 17 in the not to exceed amount of in the amount of \$39,700.00, thereby amending their original contract from \$117,500.00 to \$157,200.00. The request includes the additional effort associated for compliance with NYSDOL regulations for air monitoring required during the asbestos abatement associated with construction phase services. The scope of the project has also been modified to include additions and components that were modified or not contemplated with D&B's initial proposal to avoid expensive changes during construction and replace antiquated components identified as the design progressed including:

- Installation of a new leaching pool/blowoff structure to expand on-site drainage system to provide additional capacity to accommodate GAC backwashing.
- Include an online nitrate analyzer and well shutdown interlock as requested by NCDH.
- Expand the replacement of piping, valves, and appurtenances within the lower area of the building to completely include the well discharge and well blow off piping as requested by the District.
- Addition of a security camera and equipment including coordination with the District security vendor.
- New floor coating system
- Inclusion of provisions for award of funding to include compliance with MWBE and SDVOB requirements for the project to be eligible for grants under the WIIA program.
- Additional Construction Phase Administration associated with grant funding components.
- Additional Construction Phase Meeting increased to biweekly meetings.

- MWBE and SDVOB Programmatic contract requirements assistance during Construction Phase including reviews of Contractors MWBE and SDVOB Utilization Plans and collecting required reporting documents for the District's records for submission to NYSEFC should the District receive funding.

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 Installation of GAC System at JWD Well No. 17 in the amount of \$39,700.00 thereby amending their original contract from \$117,500.00 to \$157,200.00 to be charged to Capital Account No. H-8397-019-2305 Well Nos. 17 & 20 GAC Treatment.

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

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 was recently held 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 prepared the draft report which was reviewed by JWD. D&B is addressing JWD comments.
11. Woodbury Tank Altitude Valve: The contract has been signed. A Notice to Proceed must be issued by JWD to start the work.

A discussion was held regarding the need for an easement to improve access the Woodbury tank site. Commissioner Abbate requested that Mr. Logan assign a level of importance to the issue. Mr. Logan, Mr. Merklin and Mr. Ingham will meet to discuss the plan for a Woodbury Tank Easement.

12. Requirements Contracts: CBS/PBS Tank Alarm Maintenance & Repairs - Contract has been executed. Water Service Gooseneck Replacements - JWD is reviewing draft.

13. Wells 4 and 31 Pump Rehabilitation: Well 31 pump has been installed and water quality testing is underway. D&B has provided the modified pump design to the Contractor.
14. McCoun's Lane Water Main Improvements: No update from last meeting.
15. Glen Head Water Main Improvements: No update from last meeting. Mr. Logan, Mr. Merklin and Mr. Ingham will meet to discuss the plan for approaching the property owner to obtain an easement.
16. Main Plant SCADA Improvements: The design is underway.
17. Transfer Switch Replacements: The design is underway.
18. Emergency Response Plan (ERP) Update: D&B is updating the ERP.
19. Pandemic Preparedness: D&B is preparing a draft document for JWD to review.
20. Wells 18 & 19 Drainage Improvements: D&B has started the preliminary design work.
21. 2021 Capital Plan Update: D&B has submitted a proposal for updating the 2021 Capital Plan.

Mr. Merklin then presented to the Commissioners a proposal from D&B Engineers and Architects, P.C. to provide engineering services to update the District's 5 Year Capital Plan for 2021. D&B will prepare an annual update to the Capital Plan for use in preparing budgets and planning capital improvements in the not to exceed fee of \$7,500.00. After discussion and upon motion duly made and seconded, it was

RESOLVED that the Commissioners approve D&B's proposal to provide engineering services to update the District's 5 Year Capital Plan for 2021 in an amount not to exceed \$7,500.00 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 | | | |

22. Sea Cliff Valuation and Feasibility Report Review: D&B has reviewed the report and submitted an email with their comments for JWD.

Status of Proposed Development Projects – Engineers Report

1. The Center for Developmental Disabilities (The Center) Water Main Improvements: The District has received funding from the developer and D&B is commencing with the design and permitting work.
2. LIU Post Water Distribution Improvements: The preconstruction meeting was held earlier this week.
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 and JWD are evaluating the feasibility of obtaining approval to install Phase 2 of the water main improvements within the Conservation Easement.
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: Mr. Ingham & Mr. Logan will work on the agreement to request funding from the developer for D&B to conduct a feasibility study.

Mr. Ingham reported that Mr. Freier responded to his letter dated February 16, 2021. Mr. Ingham will be discussing the request with Miss Cannon and will prepare a response.

Mr. Ingham reported that he is preparing a resolution for the Commissioners regarding the purchase of TrojanUVFlex™-Advanced Oxidation Systems for 1,4 Dioxane removal AOP treatment, which would allow Trojan to be considered as a sole source vendor under the District procurement policy due to the deferral requirements set forth by NYSDOH and timeline to get treatment in place.

Superintendent's monthly report was read and filed.

Mr. Logan reported that all analysis of wells and bacteriological sampling for the period February 17th, 2021 to March 2nd, 2021, had been completed and all were within state and federal standards.

Mr. Logan reported that he attended a virtual presentation with Ms. Blum and Badger Meter on Friday February 26th, 2021. Badger offered JWD the opportunity to proactively upgrade 141 of the District's original CDMA endpoints through their customer loyalty program. These endpoints, originally purchased for the pilot study for the cellular meter change out program, will become obsolete due to the sunset of the 3G network. Under the program, Badger will discount the LTE-M endpoints at half the price that the District normally purchases them or a cost of \$47.50 each (for a total amount of \$6,697.50). The upgraded endpoints will come with a brand new 20-year warranty and will read in higher-resolution (15 min increments rather than the current 1-hour increments) and Badger will properly dispose of the old endpoints at no cost. After discussion and upon motion duly made and seconded it was

RESOLVED that the Commissioner approve the purchase of 141 LTE-M endpoints in to total not to exceed amount of \$6,697.50 to be charged to Capital Account No. H-8397-009-2020 Meter Change Out Program.

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

Mr. Logan informed the Commissioners that District employees were called to investigate a frozen meter at the location of Quest Diagnostics at 267 Jericho Tpke, Syosset. Upon arrival, it was witnessed that there was an illegal tee before the District's meter, which ran to a submeter reading in cubic feet. Since this was not a District meter, the owner was not billed for usage since 2017. The owner, ATF Associates LLC, will be charged with the following violations: New York State Penal Law Section 145.15 Criminal tampering in the second degree and Section 165.15 Theft of Service and Section 8-A(4)(a), Section 12-A and Section 12C of the Jericho Water District Ordinances. The owner will be charged a \$250.00 fine for each violation, totaling \$1,250.00. Additionally, Mr. Logan will convert the reading from the submeter to gallons to back bill the property owner for water used since 2017. A discussion was held regarding how this type of situation could be prevented in the future.

At 9:48 a.m. Joseph Todaro and Anthony Trombino from H2M architects+engineers joined the meeting to provide their monthly engineer's project status report:

1. New Elevated Tank at Wheatley Road Site: Demolition of old tank is complete. Caldwell has indicated that they have secured US Tank for

completion of the tank painting work. Caldwell has submitted the rigid containment shop drawings (3/1). H2M to review and respond accordingly. Caldwell has indicated that US Tank is anticipating mobilizing on 3/4. H2M has advised Caldwell that a new revised construction schedule is required to be submitted prior to mobilization.

2. Woodbury Villas Water Main Installation: Phase 1 of water main construction complete except for pavement restoration of Jericho Turnpike; Developer is not ready for Phase 2. Phase 2 will need to be re-packaged and bid out when developer is ready.
3. Well Nos. 9 & 14 Nitrate and VOC Removal Facility: Contractor authorized to relocate backpressure valve and piping to the horizontal position. Waiting on fabricated pipe sections. Equipment checkout and startup recently completed for Hach nitrate analyzers and air stripping system. H&T will complete their startup work after piping modifications.
4. Well Nos. 9 & 14 Emerging Contaminant Treatment: Pilot Study Report and Engineering Design Report is still under review by NYSDOH and NCDH. Design is 85% complete. H2M is expecting to submit drawings to the health department this month. Will be reviewing with client shortly.
5. GIS Data Development: Project is ongoing. H2M continues to digitize water mains, connecting the hydrants and hydrant valves that are currently being field verified by District staff. To date, H2M has digitized 3,862 water main sections, accounting for approximately 110 lineal miles of the District mains.

Miss Cannon then presented and reviewed with the Commissioners a Cash Balance/Cash Deposit report as of March 1st, 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 16th, 2021 and March 1st, 2021. After discussion, the report was ordered filed.

Miss Cannon then reported that the preliminary financial statements indicated that the District would end fiscal year 12/31/2020 with an unreserved/undesignated fund balance of approximately \$5,697,746.98 resulting in an increase to unreserved/undesignated fund balance from the previous year of approximately \$1,827,783.00. Miss Cannon recommended that the Commissioners reduce the unreserved/undesignated fund balance to a target level equal to approximately 25% to 30% of 2021 adopted budget by appropriating \$1,650,000.00 to various reserve funds as follows:

| | | |
|--------|--------------------------------------|-------------------|
| A-0909 | Unreserved/Undesignated Fund Balance | (\$1,650,000.00) |
| A-0878 | Capital Improvement Reserve | \$1,200,000.00 |
| A-0880 | Repair Reserve | 250,000.00 |
| A-0885 | Employee Benefit Reserve | <u>200,000.00</u> |
| | Total to Reserve Funds | \$1,650,000.00 |

After discussion and upon motion duly made and seconded, it was

RESOLVED that the District appropriate fund balance as listed above.

VOTE AYES: 3 NOES: 0 ABSENTIONS: 0

Commissioner Abbate AYE
 Commissioner Asmus AYE
 Commissioner Beckerle AYE

Miss Cannon then requested authorization to purchase five laptops with docking stations at the recommendation of Maureen Data Systems, to alleviate issues related to JWD employees using personal devices when working from home and would replace existing desktops for more flexibility within the office. Existing desktops will be repurposed to replace older computers within the office and to add additional workstations in the service department. After discussion, and upon motion duly made and seconded, it was

RESOLVED that the Commissioners approve the purchase of five laptops and docking stations to be charged to Operating Account No. A-8310-000-2010 Computers, Software and Printers.

VOTE AYES 3 NOES 0 ABSENTIONS 0

Commissioner Abbate AYE
 Commissioner Asmus AYE
 Commissioner Beckerle AYE

Miss Cannon then requested authorization for her and Ms. Blum to attend the GFOA Long Island Virtual Spring Seminar on Thursday April 8th, 2021 at a cost of \$60.00 each for a total cost of \$120.00. After discussion, the Commissioners authorized Miss Cannon & Ms. Blum to attend.

Miss Cannon then informed the Commissioners that she received the following three (3) requests to waive penalties:

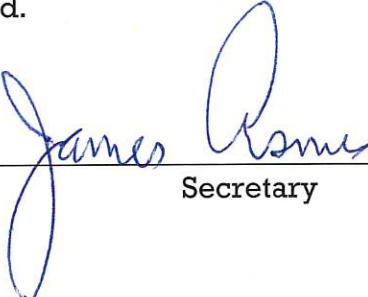
1. Account No. 45556730-2 in the amount of \$133.59
2. Account No. 25857190-2 in the amount of \$138.99
3. Account No. 30105700-0 in the amount of \$147.79

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.

The Board went into Executive Session at 10:23 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 #25240 to #25272 and Installation Fund #4123.

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


Secretary