

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

held at the office of the District in Syosset, Nassau County, New York, on the 20th day of October 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 D. Merklin

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

Monthly report of Engineer was read and ordered filed.

1. Water Infrastructure Improvement Act (WIIA) Grant Applications: D&B is assisting the District with applications for Wheatley PTAS, Southwoods Road Well, Well 22 AOP and Wells 20 & 21 AOP.

Miss Cannon reported that a requirement of the 2021 NYS WIIA Grant Application process is for the Commissioners to adopt a SEQRA resolution for the projects that the District is submitting applications for. (The Wheatley PTAS resolution had been previously adopted at the September 4, 2019 meeting and the Southwoods Road Well resolution was adopted at the April 1st, 2020 meeting.) After discussion, the Commissioners adopted the following resolutions:

RESOLUTION ADOPTING WIIA GRANT SEQRA REQUIREMENTS FOR THE 1,4-DIOXANE AND PFAS TREATMENT AT WELL NO. 20 & 21

WHEREAS the Board of Commissioners of the Jericho Water District has resolved to the submittal of grant applications for the following project: 1,4-Dioxane and PFAS Treatment at Well No. 20 and 21; and

WHEREAS the grant submission process requires the completion of the SEQRA-State Environmental Quality Review Act; and

WHEREAS the D&B Engineers & Architects have recommended the action is an unlisted action and accordingly prepared a Short Form Environmental Assessment,

in analysis of the subject project, and recommended an uncoordinated review. The review of the criteria has determined no significant environmental impacts exists, and as such recommend a negative declaration be issued.

NOW THEREFORE, after discussion and due deliberation, and in consideration of the above recitals, the Board:

RESOLVED, that the Board of Commissioners of the Jericho Water District concurs with the recommendation that the project is an unlisted action and has reviewed the significance and made a determination of no impact and is declaring a negative declaration in regard to the project.

VOTE AYES: 3 NOES: 0 ABSENTIONS: 0

Commissioner Abbate AYE
Commissioner Asmus AYE
Commissioner Beckerle AYE

RESOLUTION ADOPTING WIIA GRANT SEQRA REQUIREMENTS FOR THE 1,4-DIOXANE AND PFAS TREATMENT AT WELL NO. 22

WHEREAS the Board of Commissioners of the Jericho Water District has resolved to the submittal of grant applications for the following project: 1,4-Dioxane and PFAS Treatment at Well No. 22; and

WHEREAS the grant submission process requires the completion of the SEQRA-State Environmental Quality Review Act; and

WHEREAS the D&B Engineers & Architects have recommended the action is an unlisted action and accordingly prepared a Short Form Environmental Assessment, in analysis of the subject project, and recommended an uncoordinated review. The review of the criteria has determined no significant environmental impacts exists, and as such recommend a negative declaration be issued.

NOW THEREFORE, after discussion and due deliberation, and in consideration of the above recitals, the Board:

RESOLVED, that the Board of Commissioners of the Jericho Water District concurs with the recommendation that the project is an unlisted action and has reviewed the significance and made a determination of no impact and is declaring a negative declaration in regard to the project.

VOTE AYES: 3 NOES: 0 ABSENTIONS: 0

Commissioner Abbate AYE
Commissioner Asmus AYE

Commissioner Beckerle AYE

2. **Bond Issue Assistance:** D&B is preparing a Bond Issue Report for the proposed projects in the 2022 Bond Issue. This report and subsequent Board Resolutions will provide support for the WIIA grant applications.
3. **Well 20 & 21 AOP Treatment:** Draft BODR scheduled for submittal in early November and will be included in the WIIA grant application.

Mr. Merklin discussed with the Commissioners the option of enclosing GAC units at the Wells 20 & 21 AOP Treatment Facility. After discussion, the Commissioners requested that D&B include the GAC enclosures in the Basis of Design Report and EFC Grant Application. If a grant is received, a separate project will be performed to construction the building.

4. **Well 22 Facility Improvements & AOP Treatment:** Draft BODR scheduled for submittal in early November and will be included in the WIIA grant application.

A discussion was held in regard to the drainage blow off issues at the Well 22 Site which often floods into the parking lot of the Jericho Highschool/Middle School. Mr. Logan and Mr. Anthony Egan of D&B had preliminary discussions with the school district regarding a grass area just inside the school property and abutting the District's property. This area appears to be suitable for the District to install a sufficient number of drywells necessary to prevent flooding of the school parking lot. This has occurred in the past, and now is a suitable time to address it. After discussion, the Commissioners agreed to allow Mr. Logan, Mr. Merklin and Mr. Ingham to pursue a permanent easement for drainage facilities to solve this issue.

5. **Kirby Lane AOP:** D&B submitted the 90 percent contract documents to NCDH and JWD.

Mr. Merklin then presented to the Commissioners a proposal amendment from D&B Engineers and Architects P.C. for the bidding and construction services for the construction for the 1,4 Dioxane & PFAS Treatment Facility at the Kirby Lane Station in the not to exceed amount of \$152,000.00, amending the originally approved fee from \$401,000.00 to \$553,000.00. Mr. Merklin reported that since the January 8, 2020, proposal was approved by the Commissioners, the project scope was expanded which required additional bidding and construction services. After discussion, and upon motion duly made and seconded, it was

RESOLVED that the Commissioners approve D&B's proposal amendment for bidding and construction services for the 1,4 Dioxane & PFAS Treatment Facility at the Kirby Lane Station in the not to exceed amount of \$152,000.00 thereby amending the line items for bidding and construction services in the original contract from

\$401,000.00 to \$553,000.00 to be charged to Capital Project Account No. H-8397-011-2303 Kirby Lane AOP System.

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

6. Southwoods Road -New Well and Treatment Facility: Comments were received from NCDH and NYSDEC on the well permit application. D&B is responding to the comments. Well construction contract has been submitted to NCDH. Construction cannot start without DEC permit. The Basis of Design Report (BODR) for the Treatment Facility has been submitted to NCDH for review.

7. PTAS at Wheatley Station (Well 6 & 16): PTAS delivery scheduled for the end of the month. Roof installation and weathertight building anticipated in early November.

Mr. Logan reported to the Commissioners that he will be sending out a letter to neighboring properties of the Wheatley Road Site notifying them of the delivery of the packed tower overnight on Tuesday, October 26th, 2021. The late-night delivery was scheduled due to the size of the tower. Since it is manufactured out-of-state, it is not allowed to cross the George Washington Bridge until later in the evening. Mr. Logan has informed the contractors to be cognizant of neighboring residences and will do their best to keep disturbances to a minimum.

8. Well 17 GAC Treatment for Simazine Removal: Punch list and contract close out is underway.

9. Well 20 GAC Treatment for Simazine Removal: Punch list and contract close out is underway.

10. Split Rock Tank Booster Station: D&B is addressing comments on the draft Basis of Design Report (BODR) received from JWD. Contract document preparation is underway.

11. Split Rock Drainage Pipe: Contract execution is underway.

12. Wells 18 & 19 Drainage Improvements: Contract execution is underway.

13. Syosset Tank Replacement Planning: The Basis of Design Report (BODR) has been submitted to NCDH. D&B is working on the design of the new tank.

14. Water Service Gooseneck Replacement: D&B and JWD are finalizing the contract documents to coordinate bid items.
15. Wells 4 and 31 Pump Rehabilitation:
 - Well 31: D&B responded to Contractor's request for additional costs.
 - Well 17: D&B has requested a cost proposal from the Contractor.
 - Well 29: D&B has requested a cost proposal from the Contractor.
16. Requirements Contracts:
 - Flow Control Valves: D&B is preparing a draft of the contract documents.
 - Electrical: D&B is preparing a draft of the contract documents.
 - Instrumentation and Controls: D&B is preparing a draft of the contract documents.
17. McCoun's Lane Water Main Improvements: Punch list work has been completed.
18. Glen Head Water Main Improvements: A meeting with the property owner is needed.
19. Main Plant SCADA Improvements: Preparation of Requirements Contract is underway.
20. Transfer Switch Replacements: Contracts have been executed. Notice to Proceed (NTP) to be transmitted shortly. A preconstruction meeting is being scheduled. Shop drawings are already underway.
21. Juneau Pump Station Improvements: The letter to the Town with respect to the required easement has been retransmitted to them. D&B is advancing the design of the work inside the existing vault.
22. Main Plant Basement Improvements: D&B has started the preliminary design work.
23. GIS Maintenance: Waiting for Election List of Registered Voters to be released by Nassau County, which will not be available until November.
24. Litigation Assistance: D&B has submitted a proposal amendment to provide continuing technical and expert witness support.

Mr. Merklin then presented to the Commissioners a proposal amendment to the original June 10th, 2020 proposal to provide engineering services and technical assistance with an ongoing lawsuit related to the water main installation for the Merry Lane Treatment Plant in the amount of \$10,000.00, thereby amending the originally approved fee from \$10,000.00 to \$20,000.00. To date, D&B has exceeded

the authorized amount and additional services have been requested by the District's Counsel. 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 and technical assistance with an ongoing lawsuit in the amount of \$10,000.00, thereby amending their original contract from \$10,000.00 to \$20,000.00 to be charged to Capital Account No. H-8397-008-2303 Nitrate Removal Plant.

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

Status of Proposed Development Projects – Engineers Report

1. Laurel Hollow Service Area Extension: D&B will commence with work upon execution of an agreement and receipt of funds from the Village of Laurel Hollow.
2. The Center for Developmental Disabilities (The Center) Water Main Improvements: Water main has been installed. Waiting for NCDH approval to proceed with services and final connection on Southwoods Road.
3. LIU Post Water Distribution Improvements: Close out paperwork is underway.
4. Tam O'Shanter Development: The Developer's engineer has responded to our request for information relating to the irrigation wells.

A discussion was held in regard to the developers plans to include twenty-six (26) non-potable irrigation wells in the development. After discussion, the Commissioners instructed Mr. Merklin to prepare a formal letter to Nassau County Department of Health and NYSDEC, on behalf of JWD, for guidance on whether the non-potable irrigation wells meet health and safety standards to protect the aquifer and residents of the District.

5. Amazon Warehouse (former Cerro Wire Site): Construction is underway.
6. Woodbury Hills Development: No update since last meeting.
7. Silver Path Estates Request for Water Availability: No update since last meeting.
8. Marriott at Milleridge Inn Water Main: No update since last meeting.

9. Country Club Developers: No update from last meeting.

10. Tam O'Shanter Development: No update from last meeting.

11. Aveley Residential Development: No update from last meeting.

Mr. Ingham discussed with the Commissioners the possibility of adding geothermal requirements to the District Ordinances. After discussion, the Commissioners instructed Mr. Ingham to prepare the amendment to the Ordinances for their review and approval.

Mr. Ingham then reported that the litigation with Head Injury Association Inc. regarding the location of the Hot Rok was settled last week. Mr. Ingham received the executed Stipulation of Settlement dismissing the action with prejudice against the District under Docket No. 21 CV 5214 GRB/ST.

Mr. Ingham reported regarding ongoing discussions with Nassau County concerning the American Rescue Plan Act ("ARPA"). The ARPA will provide federal funds to Nassau County regarding emerging contaminants. Since these grants are federally funded, the grant application will need to comply with federal, state, and local requirements. Grants could provide up to \$50,000.00 for each Water District within Nassau County. Nassau County has confirmed that they will function as the pass-through agency and administer the \$50,000.00 grant and any future federal grants received. There is currently no application deadline.

A discussion was held in regard to the access to the Woodbury Tank Site. Since the owners of 1 Nome Drive have not answered the Right of First Refusal letter prepared by Mr. Ingham. Mr. Logan requested authorization to send out letters to other neighboring properties of the Woodbury Tank site request that they inform the District if they plan to sell their property.

Mr. Logan reported that all analysis of wells and bacteriological sampling for the period October 5, 2021, to October 19, 2021, had been completed and all were within state and federal standards.

Mr. Logan then reported that the District's Storage Tank Liability Insurance policy with ACE Commercial Risk Services is due to expire on November 4th, 2021. The cost to renew the policy is \$4,986.00. Salerno Brokerage Corp., the District's Insurance Broker, recommended the District renew the property. After discussion, and upon motion duly made and seconded, it was

RESOLVED that the District renew their storage Tank Liability Insurance Policy with ACE Commercial Risk Services for the period of November 4, 2021 through November 4, 2022 at an annual cost of \$4,986.00 to be charged to Operating Account No. A-8310-000-4300 Insurance.

VOTE AYES 3 NOES 0 ABSENTIONS 0

Commissioner Abbate AYE
Commissioner Asmus AYE
Commissioner Beckerle AYE

A discussion was held regarding the District's Requirements Contract for the Purchase of Liquid Sodium Hypochlorite which was discussed at the last board meeting. Due to industry-wide price increases, Twin County Swimming Pool Maintenance & Supply Co. LLC notified the District that beginning October 15th, 2021, there will be a 20% increase on the contract. The Commissioners agreed to the increase through December 31st, 2021, however the contract will need to be rebid for 2022. Mr. Logan requested authorization from the Commissioners to allow D&B to prepare a proposal for assistance to write the bid specifications for the new requirements contract. In order to maximize the number of bids received, D&B will explore the possibility of reducing the contract period from a year to six months. Additionally, they will examine the option of using a price escalation/de-escalation clause due to the volatility of the price of the material. After discussion, the Commissioners authorized Mr. Merklin to prepare a proposal for the engineering services associated with the preparation of the bid specification for the Requirements Contract for the Purchase of Liquid Sodium Hypochlorite.

Mr. Logan then presented the Commissioners with a proposal from Frank Ciotta & Associates, Inc. for a real estate appraisal for 24 Wolver Hollow Road, Upper Brookville, NY 11545 for the total not to exceed fee of \$1,200.00. After discussion, and upon motion duly made and seconded, it was

RESOLVED that the Commissioners approve the proposal from Frank Ciotta & Associates, Inc. for a real estate appraisal for 24 Wolver Hollow Road, Upper Brookville, NY 11545 for the total not to exceed fee of \$1,200.00 to be charged to Operating Account No. A-8340-000-4480 Other Professional Services.

VOTE AYES 3 NOES 0 ABSENTIONS 0

Commissioner Abbate AYE
Commissioner Asmus AYE
Commissioner Beckerle AYE

Mr. Logan then presented to the Commissioners an email from Mr. Christian Browne, Attorney for the Cove Edge Road Property Owners Association requesting that the District consider servicing twenty-five (25) homes in the Cove Edge Road Property Owners Association (currently an unfranchised area bordering the Jericho Water District). The Jericho Water District currently has one utility account for the association that is a six-inch (6") meter with an RPZ, which lies inside the District's boundaries. The remainder of the Cove Edge Road Association is outside of the

District in the Incorporated Village of Oyster Bay Cove. Mr. Logan had several concerns about taking over of the existing infrastructure. After discussion, the Commissioners instructed Mr. Logan to request the documents from the association regarding the current infrastructure and requested that Mr. Merklin prepare a proposal to do a feasibility study to ascertain the potential impact on the District to provide water to this area (to be funded by the association).

Mr. Logan reported that he received a letter from a consumer with damage to two tires and two rims of their vehicle after hitting a valve box on Piping Rock Road and Locust Lane. Mr. Logan dispatched service staff to the location to assess the valve box and made a temporary repair. Mr. Logan will request paid receipts for the repair of the vehicle and reimburse the consumer.

Miss Cannon then presented and reviewed with the Commissioners a Cash Balance/Cash Deposit report as of October 18, 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 October 5, 2021, and October 18, 2021. After discussion, the report was ordered filed.

Miss Cannon then requested authorization to transfer \$500,000.00 from the General Fund Checking Account to the Investment Account in order to maximize interest. After discussion, the Commissioners authorized the bank transfer.

Miss Cannon then presented and reviewed with the Commissioners the Budget to Actual Revenue and Expenditure Reports for the quarter ended September 30, 2021. After discussion, the reports were ordered filed.

Miss Cannon then presented and reviewed with the Commissioners the Construction Fund Report and Installation Fund Report for the quarter ended September 30, 2021. After discussion, the report was ordered filed.

Miss Cannon then presented and reviewed with the Commissioners the Employee Accrual Report for the quarter ended September 30, 2021. After discussion, the report was ordered filed.

Miss Cannon then requested authorization to renew the District's Dental Plan with Cigna Healthcare effective January 1st, 2022 to December 31st, 2022 at a 5% increase over the current policy. After discussion, and upon motion duly made and seconded, it was

RESOLVED, that the District renew its Dental Insurance Plan with Cigna Healthcare effective January 1st, 2022 to December 31st, 2022 at a 5% increase over the current year as follows:

Employee Only Rate	\$44.89
Employee & Spouse	\$89.74
Employee & Child(ren)	\$91.90
Family	\$143.03

VOTE AYES 3 NOES 0 ABSENTIONS 0

Commissioner Abbate AYE
 Commissioner Asmus AYE
 Commissioner Beckerle AYE

Miss Cannon then proposed to the Commissioners that in order to save \$3,344.00 she would like to prepay the 2022 NYS Retirement Invoice in the amount of \$404,951.00 before December 15, 2021 (and in future years going forward).

The Board of Commissioners then expressed their desire to prepay the 2022 NYS Retirement Invoice to take advantage of the lower fee. After discussion, and upon motion duly made and seconded, the Commissioners unanimously passed the following resolution:

RESOLUTION AUTHORIZING THE TREASURER TO APPROPRIATE \$95,000.00 FROM THE RETIREMENT CONTRIBUTION RESERVE FUND FOR THE PURPOSE PREPAYING THE NEW YORK STATE AND LOCAL RETIREMENT (NYSLRS) INVOICE FOR 2022 AND ALL FUTURE YEARS IN ORDER TO REDUCE DISTRICT EXPENDITURES

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

WHEREAS, effective October 20, 2021, the Retirement Contribution Reserve Fund (A-0887) had a balance of \$377,463.56; and

WHEREAS, the NYSLRS offers participating government agencies the opportunity to prepay their annual invoices at a reduced fee each year; prepayment balance is due on the 15th of December each year instead of the 1st day of February in the following year;

WHEREAS, the Treasurer recommended to the Commissioners that the District prepay the NYSLRS invoice each year, (starting with the 2022 invoice), in order to reduce District expenditures, and

WHEREAS, in order to make a payment by December 15 of 2021 for the 2022 invoice a budget transfer in the amount of \$95,000.00 to the NYS Retirement Expenditure Account is required, and

WHEREAS, the Board of Commissioners desires to appropriate funds from the Retirement Contribution Reserve Fund (A-0887) to Operating Account No. A-9010-000-8010 NYS Retirement in the amount of \$95,000.00 in order to pay the 2022 invoice in the total amount of \$404,951.00; and

WHEREAS, funds would be appropriated from the Retirement Contribution 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, the funding of NYS Retirement Expenditure Account 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 \$95,000.00 from the Retirement Contribution Reserve Fund (A-0887) for the purpose of prepaying the 2022 NYSLRS Invoice in order to reduce District expenditures.

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

A discussion was held in regard to the various interconnections that JWD has with surrounding water districts and the rate JWD should charge (should these interconnects be used). The interconnections exist for emergency to provide water to a neighboring District if they were to have difficulty supplying water to their consumers (and vice versa). Interconnections are not used on a routine basis and requires prior authorization from the supplying district for use. After discussion, the Commissioners requested that Mr. Logan compile a full list of interconnections (both metered and unmetered) to review with Mr. Ingham and Miss Cannon to prepare interconnect agreements with all of the parties involved and ascertain a fair rate to charge.

Miss Cannon then informed the Commissioners that the Town of Oyster Bay's Budget Hearing was held on Tuesday, October 19th, 2021 at 10:00AM and held over until 7:00PM and there were no questions or comments on the District's Budget.

Miss Cannon informed the Commissioners that she received an email from Complete Business Forms & Printing, the vendor that supplies the District Printing and Graphic Design Services under Contract No. G14-20 notifying the District that due to continuously rising costs for material, labor, freight, and inflation factors, they

were forced to change the pricing on several of the items listed in the District's bid. The increase equated to an additional \$325.00 over approved bid pricing. After discussion, the Commissioners agreed to the increase.

Mr. Logan then presented to the Commissioners a letter stating that he will be retiring effective October 30th, 2021 after over 43 years of service and will officially secure his pension from the New York State Retirement System effective October 31st, 2021.

The Board of Commissioners went into Executive Session at 10:30 a.m. to discuss personnel and legal matters.

At 10:45 a.m., Executive Session was concluded. Upon motion duly made and seconded, it was

RESOLVED that the Commissioners authorize the reinstatement of Peter F. Logan as Superintendent of the Jericho Water District as of November 1st, 2021 pursuant to the approval action from Nassau County Civil Service Commission under Resolution No. e-379B in accordance with Section 212 of NYS Retirement Law. It was

FURTHER RESOLVED that the Commissioners approve the terms of a written contractual employment agreement on file for Superintendent Logan memorialized in his personnel file.

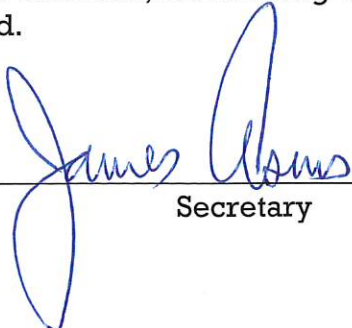
VOTE	AYES	3	NOES	0	ABSENTIONS	0
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Commissioner Abbate	AYE
Commissioner Asmus	AYE
Commissioner Beckerle	AYE

Pending agenda items list was read and filed.

The following claims were then audited and approved for payment: General Fund #25858 to #25891, Construction Fund #2576, and Installation Fund #4141.

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


Secretary