

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

held at the office of the District in Syosset, Nassau County, New York, on the 6th day of April 2022, at 8:30 A.M.

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

Monthly report of Engineer was read and ordered filed.

1. Well 20 & 21 AOP Treatment: Waiting for comments from NCDH and NYSDOH on BODR. A 60 percent design submittal has been made and a review meeting scheduled for April 7<sup>th</sup>. The 90 percent submittal will be in early May.
2. Well 22 Facility Improvements & AOP Treatment: Waiting for comments from NCDH and NYSDOH on BODR. D&B has submitted the 60 percent draft drawings for JWD review. A review meeting is scheduled for April 7<sup>th</sup>.
3. Kirby Lane AOP: D&B responded to NCDH comments on the contract documents. Approval is pending. Notice to Proceed has been issued for the 3 prime contracts. A pre-construction meeting has been held. Working with Trojan to submit shop drawings. Anticipated this week.
4. Southwoods Road -New Well and Treatment Facility:
  - a. Well Construction Contract: A recommendation letter has been submitted. Conformed contracts sent to attorney.

Mr. Merklin then reported that he had reviewed the two (2) bid proposals received on March 4, 2022, for Contract No. C9-21, Construction of Well 33, Southwoods Road. Layne Christensen Company submitted the lowest bid in the amount of \$598,900.00. Based on his findings of the Contractor's past and present performances, and his review of the bid proposal and pre-award meeting, Mr. Merklin recommended award of the contract for the Construction of Well 33,

Southwoods Road be made to Layne Christensen Company of Holbrook, NY. After discussion, and upon motion duly made and seconded, it was

RESOLVED that Contract No. C9-21, Construction of Well 33, Southwoods Road be awarded to Layne Christensen Company of Holbrook, NY as the lowest responsible bidder with a bid that conforms with the bid specifications of the District in the amount of \$598,900.00 to be charged to Capital Account No. H-8397-013-2302 Southwoods Road Well No. 33.

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

b. Treatment Facility Contracts: NCDH approval of the Basis of Design Report (BODR) is pending. A 60 percent submittal has been sent to JWD.

5. PTAS at the Wheatley Rd. Site (Well 6 & 16): Contractual Substantial Completion date is March 4, 2022. Project is delayed due to electrical equipment delivery delays. Targeting startup in mid to late summer. Waiting for a response from the Electrical Contractor regarding potential liquidated damages.
6. Split Rock Tank Booster Station: Contract execution is underway for the pump station pre-purchase contract. Contract execution is underway for the award of the General Construction Contract.
7. Wells 18 & 19 Drainage Improvements: The schedule for completion of the work is late April or early May.
8. Syosset Tank Replacement Planning: A design progress meeting was held with JWD. The 90 percent contract documents will be submitted in mid-May.
9. Water Service Gooseneck Replacement: A Notice to Proceed will be issued upon receipt of approval of contract documents by NCDH.
10. Pump Rehabilitation Projects:
  - Well 31: A final change order has been sent to the Contractor for contract close out.
  - Well 17: The Contractor has received the pump. The pump will be installed next week.
  - Well 29: Pump has not yet been received by Contractor.

11. Glen Head Water Main Improvements: Evaluating alternative pipe routes.
12. Main Plant SCADA Improvements: Construction is underway. Assisting JWD with purchase of equipment.
13. Transfer Switch Replacements: The Contractor has provided a delivery date of August 5<sup>th</sup> for two of the switches. A contract modification request is forthcoming for the 3<sup>rd</sup> switch at Well 29.
14. Juneau Pump Station Improvements: A pre-award meeting was held with the apparent low bidder. D&B has submitted a letter of recommendation.

Mr. Merklin then reported that he had reviewed the six (6) bid proposals received on March 18, 2022, for Contract No. C8-22, Juneau Pump Station Electrical Improvements. Baltray Enterprises, Inc. DBA Bancker Electric submitted the lowest adjusted bid in the amount of \$481,685.00. Based on his findings of the Contractor's past and present performances, and his review of the bid proposal and pre-award meeting, Mr. Merklin recommended award of the contract for the Juneau Pump Station Electrical Improvements be made to Bancker Electric of Islip, New York. After discussion, and upon motion duly made and seconded, it was

RESOLVED that Contract No. C8-22, Juneau Pump Station Electrical Improvements be awarded to Bancker Electric of Islip, NY as the lowest responsible bidder with a bid that conforms with the bid specifications of the District in the amount of \$481,685.00 to be charged to Capital Account No. H-8397-882-2303 Juneau Pump Station Electrical Improvements. 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-8397-882-2303 Juneau Pump Station Electrical Improvements to fund this project. After discussion, and upon motion duly made and seconded, the Commissioners passed the following resolution:

**RESOLUTION AUTHORIZING THE TREASURER TO APPROPRIATE \$481,685.00 FROM THE CAPITAL IMPROVEMENT RESERVE FUND FOR THE PURPOSE OF FUNDING ELECTRICAL IMPROVEMENTS AT THE JUNEAU PUMP STATION**

**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 April 6, 2022 the Capital Improvement Reserve Fund (A-0878) had a balance of \$2,816,874.74; and

**WHEREAS**, the Board of Commissioners at their April 7, 2021, Board Meeting appropriated \$110,000.00 for engineering costs to design electrical improvements at

the Juneau Pump Station to replace existing electrical service and provide provisions for standby generator power; and

**WHEREAS**, the District received bids on March 18, 2022 for construction costs associated with electrical improvements at the Juneau Pump Station with the lowest bid equal to \$481,685.00 for a total cost including engineering, legal and contingency fees of \$591,685.00, and

**WHEREAS**, the Commissioners wish to appropriate funds from the Capital Improvement Reserve Fund (A-0878) to Capital Project No. H-8397-882-2303, Juneau Station Electrical Improvements for the construction costs associated with the electrical improvements at the Juneau Pump Station in the amount of \$481,685.00; 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 \$481,685.00 from the Capital Improvement Reserve Fund (A-0878) for the purpose of funding construction costs associated with electrical improvements at the Juneau Pump Station.

**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			

15. Main Plant Basement Improvements: JWD is reviewing draft drawings.
16. Merry Lane Water Main As-Builts: D&B will meet with JWD in the field to review as-built drawings to finalize them. D&B will estimate the cost for production of the as-built drawings once they have been completed.
17. VA Update: A draft will be submitted to JWD in April. Final update is fur in December 2022.
18. Convent Road Architectural Improvements: D&B submitted a proposal to prepare contract documents for miscellaneous improvements at various facilities located at the Convent Road site. This proposal was tabled due to funding limitations.
19. GIS Updates: D&B is assisting the District with adding line valves and water mains to the GIS database.
20. 2022 Capital Plan Update: D&B has submitted a proposal for the update of the 5-year capital plan.

Mr. Merklin then presented to the Commissioners a proposal from D&B Engineers and Architects, D.P.C. to provide engineering services to update the District's 5 Year Capital Plan for 2022. 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 \$9,500.00. 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 Five-Year Capital Plan for 2022 in an amount not to exceed \$9,500.00 to be charged to Operating Account No. A-8340-000-4430 Engineering Services.

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. Oaks at Mill River: D&B has submitted a proposal for preparing the cost estimates for the water main and pump station construction. The cost estimates will be sent to the developer upon receipt of funds.

Mr. Merklin then presented to the Commissioners a proposal from D&B Engineers and Architects to provide engineering services for cost estimates for proposed improvements at Oaks at Mill River Development in the not to exceed fee of \$3,787.82. 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 cost estimates for the proposed improvements at the Oaks at Mill River Development in an amount not to exceed \$3,787.82 to be charged to Installation Fund Account No. H-8398-862-2300 Oaks at Mill River.

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

2. The Center for Developmental Disabilities (The Center) Water Main Improvements: D&B is meeting with the Contractor to discuss a schedule for completing the punch list work.
3. Tam O'Shanter Development: D&B will issue the Letter of Water Availability.
4. Laurel Hollow Service Area Extension: No new activity since the last report.
5. Woodbury Hills Development: No new activity since the last report.
6. Silver Path Estates Request for Water Availability: No new activity since the last report.
7. Marriott at Milleridge Inn Water Main: No new activity since the last report.
8. Country Club Developers: No new activity since the last report.
9. Aveley Residential Development: No new activity since the last report.

Monthly report of the Superintendent was read and ordered filed.

Mr. Logan reported that all analysis of wells and bacteriological sampling for the period March 16, 2022, to April 5, 2022, had been completed and all were within state and federal standards.

Mr. Logan then discussed personnel matters with the Commissioners. After discussion, and upon motion duly made and seconded it was



RESOLVED that the Commissioners authorize the provisional appointment of employees John Minucci (Water Servicer) and Anthony LaMarca (Water Servicer) to the title of Water Plant Operator with no increase to the employees' current salaries contingent upon Nassau County Civil Service Commission approval.

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

Mr. Logan informed the Commissioners that he received a request from the owner of 30 Gordon Drive, Syosset, to remove fines for untested backflow devices on two of their customer's utility accounts that were assessed a total of three fines (Account Nos. 36612800-1 & 36612800-2). The customer stated that they were not informed that the devices needed to be tested when the property was sold to them on October 28, 2021. After discussion, the Commissioners instructed Mr. Logan to waive the three fines assessed.

Mr. Logan informed the Commissioners that he received a request from Westbury Jeep Chrysler Dodge, to remove fines for untested backflow devices on two of their customer's utility accounts that were assessed a total of three fines (Account Nos. 31213600-1 & 31213600-2). The customer stated although they were reminded via email that their devices had not been tested in 2021, that email was not their preferred method of communication, and requested that future correspondence be made via USPS mail. After discussion, the Commissioners denied the request.

Mr. Logan informed the Commissioners that he received a request from the owner of 2-8, & 18 Jackson Avenue, Syosset, to remove fines for untested backflow devices on five of their customer's utility accounts that were assessed a total of six fines (Account Nos. 45601520-1, 45601520-2, 45601520-3, 45601530-0 & 45601550-0). After discussion, the Commissioners instructed Mr. Logan to waive the six fines assessed.

Mr. Logan then requested that a bid date be set for Contract No. 11-22, Woodbury Villas Phase Two. After discussion, the Commissioners set a bid date for Friday, April 29, 2022 at 9:00 a.m.

Mr. Logan then requested authorization from the Commissioners to purchase one (1) KM International KM8000T Asphalt Hotbox Trailer for \$37,600.00 from Sourcewell Contract No. 080521-KMI. After discussion, and upon motion duly made and seconded it was

RESOLVED that the Commissioners authorize the District to purchase one (1) KM International KM8000T Asphalt Hotbox & Trailer for \$37,600.00 to be charged to Operating Account No. A-8340-000-2020 Equipment and Machinery. It was

FURTHER RESOLVED that the Commissioners authorize a budget transfer in the amount of \$37,600.00 from A-9950-000-9010 Transfer for Capital Projects to A-8340-000-2020 Equipment and Machinery in order to fund the purchase of the Asphalt Hotbox & Trailer.

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

Mr. Logan presented and reviewed with the Commissioners a draft letter that will be sent to the homeowners affected by the District's Water Service Gooseneck Replacement project. After discussion, the Commissioners approved the letter.

Mr. Logan presented to the Commissioners a letter sent to the Picket Farm Home Association in regards to high usage on Account No. 31190800-1. The usage on their account has increased by 250% over their three-year average for the same quarter. Mr. Logan explained that the new meter installed in December of 2021, as part of the district-wide meter change out program is functioning properly and recording accurately. District personnel inspected and tested the old meter, which revealed that the meter register was intermittently stopping and under recording consumption at the facility. In addition, it is believed that there are possible leaks in the distribution system throughout the home association. District service personnel have been made available to assist the plumbers to isolate the potential leaks in the facility. The District also received as built maps and specifications of the water mains, private hydrants, services and meter vaults and are working with D&B to determine the best course of action to change the existing three fire service assembly meters at this location. Mr. Logan will keep the Commissioners apprised of the situation.

Miss Cannon then presented and reviewed with the Commissioners a Cash Balance/Cash Deposit report as of April 4, 2022. 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 March 15, 2022 and April 4, 2022. After discussion, the report was ordered filed.



Miss Cannon then requested that the Commissioners approve the following budget transfer to correct account transfer from Woodbury Tank Altitude Valve (nunc pro tunc):

H-8397-878-2303	Woodbury Tank Altitude Valve	\$2,004.14
H-8397-876-2300	Anita Avenue WM Replacement	(\$2,004.14)

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

RESOLVED that the Commissioners authorize the budget transfer.

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

Miss Cannon presented to the Commissioners the 2022 Price List and Fee Schedule to be updated as part of Article XIV of the District's ordinances. After discussion, and upon motion duly made and seconded, it was

RESOLVED that the District set the 2022 Price List and Fee Schedule and update Article XIV of the District Ordinances accordingly. A complete price list for water supplies sold by the District will be kept on file. (2022 Price List and Fee Schedule for Article XIV of District Ordinances is attached to the end of these minutes).

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

Miss Cannon then discussed personnel matters with the Commissioners. After discussion, and upon motion duly made and seconded, it was

RESOLVED that the Commissioners authorize the appointment Natalie Camacho to the title of Auditing Assistant (previously in the title of Provisional Account Clerk) with no increase to the employees' current salaries effective April 6<sup>th</sup>, 2022.

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

Miss Cannon informed the Commissioners that employee Joseph Boccafola requested intermittent short-term disability benefits while he undergoes treatment for an illness. Miss Cannon advised that the District is self-insured for short term disability and has always followed New York State Statutory Policy for Short Term Disability which is \$170.00 per week after the first seven (7) days for a maximum of 26 weeks. In addition, Miss Cannon reported that the District has allowed employees to use their accumulated accrued time in order to receive a full pay-check and then reimburse the employee in time for the prorated amount equivalent to \$170.00 per week. At the end of the disability period, Miss Cannon will present to the Commissioners a tabulation of the time to be reimbursed to Mr. Boccafola at the equivalent of \$170.00 per week.

Miss Cannon presented to the Commissioners a retirement letter from employee, Peter Kahl, who retired on April 5<sup>th</sup>, 2022 after more than 36 years of service with the District. Miss Cannon then presented to the Commissioners a calculation of the accrual payout for Mr. Kahl in the amount of \$58,482.32. Mr. Logan confirmed that the employee had returned all keys, uniforms and badges. After discussion, and upon motion duly made and seconded, it was

RESOLVED, that the Commissioners authorize the accrual payout in the amount of \$58,482.32 be made to Peter Kahl on the pay date of April 15, 2022 to be funded from Operating Account No. A-8340-000-1100 Plant Salaries.

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

Miss Cannon then informed the Commissioners that she received a request to waive a penalty on Account No. 45450525-0 in the amount of \$61.79. Miss Cannon informed the Commissioners that no penalty has been waived 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 a revised bill to the consumer.

Mr. Logan gave the Commissioners a project status report for the H2M projects:

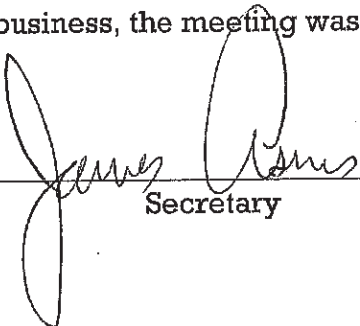
1. New Elevated Tank at Wheatley Road Site: Tank is currently undergoing the annual inspection and has been empty longer than anticipated. Sediment in the tank will need to be cleaned before tank can be returned to service.
2. Well Nos. 9 & 14 Nitrate and VOC Removal Facility: Contractor is still working to complete the upsizing of the gas line.

3. Well Nos. 9 & 14 Emerging Contaminant Treatment: Bid date is scheduled for April 15th, 2022.

Pending agenda items list was read and filed.

The following claims were then audited and approved for payment: General Fund #26324 to #26368 and Construction Fund #2592 to #2593.

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

  
Secretary