

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

held remotely via telephone conference, on the 19<sup>th</sup> day of January 2022, 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

In response to the concerns relative to the Coronavirus (COVID-19), today's meeting of the Board of Commissioners and all meetings until further notice will be held via a phone-conferencing platform pursuant to Chapter 417 of the NYS Laws of 2021. A roll call was taken to assure that those listed were in attendance and that a quorum of the Board was present. Members of the public were given the opportunity to call in and listen to the meeting live. The Board Meeting was recorded and will later be transcribed. A notice was posted on the District's website, [www.jerichowater.org](http://www.jerichowater.org), stating same.

Miss Cannon gave the COVID-19 report which included:

1. An unvaccinated service employee who was last at work on January 7<sup>th</sup>, 2022, started having symptoms and tested positive via PCR on January 10<sup>th</sup>, 2022 (not received until January 18<sup>th</sup>, 2022). The employee returned to work on-site today and will wear a mask at all times and isolate from staff through January 20<sup>th</sup>, 2022.
2. A vaccinated service department employee who was last at work on January 13<sup>th</sup>, 2022, started having symptoms on January 14<sup>th</sup>, 2022 and tested positive on a rapid at-home test on that same day (PCR results from 1/18/22 pending). The employee is scheduled to return to work on-site January 20<sup>th</sup>, 2022 and will wear a mask at all times and isolate from staff through January 24<sup>th</sup>, 2022.
3. A vaccinated service department employee who was last at work on January 14<sup>th</sup>, 2022, started having symptoms on January 16<sup>th</sup>, 2022 and tested positive on a rapid at-home test on that same day (and verified with a PCR on January 17<sup>th</sup>, 2022). The employee is scheduled to return to work on-site January 24<sup>th</sup>, 2022 and will wear a mask at all times and isolate from staff through January 26<sup>th</sup>, 2022.

Mr. Logan reported that the service department returned to their normal 8:00AM to 4:00PM schedule as of yesterday.

Miss Cannon reported that she and Ms. Blum had reviewed the updated CDC guidance and NYSDOH guidance for COVID-19 isolations and quarantines and revised (where applicable) District policies to align with the new 5 day shortened guidance. Ms. Blum notified the employees of the changes on Friday, January 14<sup>th</sup>, 2022, and then followed up with an additional revision this morning. Nassau County is no longer required to contact trace and is no longer supplying isolation orders and releases. In lieu of this, NYS has consolidated both documents into one affirmation form to be used by all county health departments in the state. Going forward the employee will complete the NYS Affirmation of Isolation form for documentation of a COVID-19 illness for work and COVID-19 Sick pay purposes.

Miss Cannon reported that Governor Hochul signed bill no. S7623A/A8591 on January 14<sup>th</sup>, 2022. This bill amended chapter 417 of the laws of 2021 which extended the legislation to allow public bodies to meet via phone conferencing platform (as long as the public has the ability to view or listen provided the meetings are recorded and later transcribed). This law has been extended through the end of the new covid-19 state disaster emergency instead of the prior sunset date of January 15, 2022.

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

Monthly report of Engineer was read and ordered filed.

1. 2022 Bond Issue: Targeting Town Board calendar for February 8<sup>th</sup>.
2. Well 20 & 21 AOP Treatment: Waiting for comments from NCDH and NYSDOH on BODR. D&B is preparing the 60 percent draft contract documents for mid-February.
3. Well 22 Facility Improvements & AOP Treatment: Waiting for comments from NCDH and NYSDOH on BODR. D&B is preparing the 60 percent draft contract documents for mid-February.
4. Kirby Lane AOP: D&B is addressing comments received from NYSDOH. Waiting for comments from NCDH. Bids will be opened on January 21<sup>st</sup>. AOP purchase order will be completed upon receipt of insurance requirements.
5. Southwoods Road -New Well and Treatment Facility:
  - a. Well Construction Contract: NCDH approved the well design report pending receipt of NYSDEC permit approval. NYSDEC public comment period ends on February 27, 2022. Well construction

contract has been submitted to NCDH. In anticipation of approvals from NCDH and NYSDEC, the following bid schedule is suggested: January 21<sup>st</sup>, 2022 for the Bid Advertisement and March 4<sup>th</sup>, 2022 for the Bid Opening.

Mr. Merklin then requested that a bid date be set for the Construction of Well 33, Southwoods Road, Contract No. C9-21. After discussion, the Commissioners set a bid date for Friday, March 4<sup>th</sup>, 2022 at 9:00AM.

- b. Treatment Facility Contracts: D&B is addressing NCDH comments on the Basis of Design Report (BODR) for the Treatment Facility. A progress meeting was held with JWD. D&B is addressing comments and advancing the design. The next submittal will be 60 drawings in March.
6. 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, which is anticipated in March 2022. A hard date for delivery has not yet been provided.
7. Split Rock Tank Booster Station: The pump station pre-purchase bids will be opened on February 4<sup>th</sup>. 90 percent contract documents for the on-site construction will be submitted by the end of this month.
8. Split Rock Tanks Drainage Pipe: Final payment and maintenance bond has been requested.
9. Wells 18 & 19 Drainage Improvements: Work is ongoing through the winter as weather and material procurement allows. Additional work requests are being negotiated with the Contractor. Paving and site restoration will be completed in the spring.
10. Syosset Tank Replacement Planning: 60 percent contract documents will be submitted by the end of this month.
11. Water Service Gooseneck Replacement: D&B has submitted recommendation letter for Award of the contract to Alessio Pipe & Construction Co.; Inc.

Mr. Merklin then reported that he had reviewed the two (2) bid proposals received on December 10<sup>th</sup>, 2021, for Contract No. C3-21, Water Service Gooseneck Replacement. Alessio Pipe & Construction Co. Inc. was the low bidder for the contract with a total three-year cumulative bid value of \$9,724,706.17. Based on his findings of the Contractor's past and present performances, and his review of the bid proposal, Mr. Merklin recommended award of the contract for the Water Service Gooseneck Replacement be made to Alessio Pipe & Construction Co. Inc. of

Huntington, NY. Since this is a requirements contract, bid proposals were reviewed based on the lowest total cumulative bid for all bid items. At this time, the District will award the contract for their 1<sup>st</sup> year bid value of \$3,143,125.00 and at the discretion of JWD, the contract can be extended for a 2<sup>nd</sup> year bid value of \$3,240,561.88 and a 3<sup>rd</sup> year bid value of \$3,341,019.29 based upon the percent adjustments included in Alessio's bid. (The actual contract value will vary depending on the quantity of work orders performed during the contract duration and the actual quantity of each unit price item incurred during the performance of work.) After discussion and upon motion duly made and seconded, it was

RESOLVED that Contract No. C3-21, Water Service Gooseneck Replacement be awarded to Alessio Pipe and Construction Co. Inc. of Huntington, NY as the lowest responsible bidder with a bid that conforms with the bid specifications of the District.

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

12. Pump Rehabilitation Projects:

- Well 31: Positive bacteriological results were received. Contractor disinfected and well will be resampled. Contractor intends to submit further justification for additional costs after the work is completed.
- Well 17: Pump shop drawing has been returned "Revise and Resubmit"
- Well 29: Pump shop drawing has been returned "Revise and Resubmit"

13. Requirements Contracts:

- Flow Control Valves: Bids will be opened on February 4<sup>th</sup>.
- Electrical: Draft contract documents will be submitted this week.
- Instrumentation and Controls: Draft contract documents will be submitted this week.
- Chlorine Purchasing: D&B has submitted a recommendation for Award.

Mr. Merklin then reported that he had reviewed the bid proposal received on January 7<sup>th</sup>, 2022, for Contract No. G3-22, Supply and Delivery Liquid Sodium Hypochlorite. Twin County Swimming Pool Maintenance & Supply Co. Inc. was the low bidder for the contract with a bid price of \$1.73 per gallon. Based on his findings of the Contractor's past and present performances, and his review of the bid proposal, Mr. Merklin recommended award of the contract for the Supply and Delivery of Liquid Sodium Hypochlorite be made to Twin County Swimming Pool

Maintenance and Supply Co. Inc. At this time, the District will award the contract for their 1<sup>st</sup> year bid value and at the discretion of JWD, the contract can be extended for a 2<sup>nd</sup> year bid value and a 3<sup>rd</sup> year bid value based upon the percent adjustments included in Twin County's bid. (The actual contract value will vary depending on the quantity of work orders performed during the contract duration and the actual quantity of each unit price item incurred during the performance of work.) After discussion and upon motion duly made and seconded, it was

RESOLVED that Contract No. G3-22, Supply and Delivery of Liquid Sodium Hypochlorite be awarded to Twin County Swimming Pool Maintenance and Supply Co, Inc. as the lowest responsible bidder with a bid that conforms with the bid specifications of the District.

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

14. Glen Head Water Main Improvements: Evaluating alternative pipe routes.

15. Main Plant SCADA Improvements: Bids will be opened on February 4<sup>th</sup>.

16. Transfer Switch Replacements: D&B has approved the shop drawings and the Contractor will advise on the anticipated delivery dates.

17. Juneau Pump Station Improvements: D&B has addressed JWD comments on the draft contract documents. A bidding schedule will be determined once a response has been received from the Town with regards to the adjacent property lease or license agreement.

18. Main Plant Basement Improvements: D&B has submitted draft contract drawings for JWD review.

19. 2021 Annual Water Quality Report (AWQR): D&B has started compiling the required data for this assignment.

20. Merry Lane Water Main As-Built: D&B has submitted draft as-built drawings for review.

21. Road Restoration Construction Management: D&B has submitted a proposal for Construction Management for the District's annual road restoration requirements contract.

Mr. Merklin then presented the Commissioners with a proposal for engineering services for construction administration for Contract No. G3-20

Requirements Contract for Permanent Restoration of Road Pavements for the period of 1/1/22-12/31/22 from D&B Engineers and Architects for the not to exceed fee of \$10,000.00. After discussion, and upon motion duly made and seconded, it was

RESOLVED that the Commissioners approve D&B Engineers and Architects proposal for engineering services for construction administration for Contract No. G3-20 Requirements Contract for Permanent Restoration of Road Pavements for the not to exceed fee of \$10,000.00 to be charged to Operating Account No. A-8340-000-4620.

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. The Center for Developmental Disabilities (The Center) Water Main Improvements: Contract will be closed out in the spring after final punch list work is complete.
2. Tam O'Shanter Development: No new activity since the last report.
3. Laurel Hollow Service Area Extension: No new activity since the last report.
4. Woodbury Hills Development: No new activity since the last report.
5. Silver Path Estates Request for Water Availability: No new activity since the last report.
6. Marriott at Milleridge Inn Water Main: No new activity since the last report.
7. Country Club Developers: No new activity since the last report.
8. Aveley Residential Development: No new activity since the last report.

Mr. Ingham reported to the Commissioners that he received back the 2022 Bond Petition from Bond Counsel with no substantive comments to the petition. He then presented to the Commissioners the final 2022 Bond Petition for their review and approval. After discussion, and upon motion duly made and seconded, it was

RESOLVED that the Commissioners adopt the 2022 Bond Petition and instructed Mr. Ingham to execute the petition for formal filing with the Town of Oyster Bay. Bond Counsel will prepare the order calling the Public Hearing for the

Town of Oyster Bay's agenda on February 8<sup>th</sup>, 2022 with the public hearing to be scheduled for March 1<sup>st</sup>, 2022 at 10:00AM.

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

Mr. Ingham reported that the District had received an inquiry from a potential bidder who requested the District sign a non-disclosure agreement wherein the District would shelter the bidders financial statements from as a public record. Mr. Merklin informed the Commissioners that having the bidder's financial reports is a requirement of the engineers in order to review the qualifications of the bidder and make a recommendation of award. Mr. Ingham will investigate this matter and report back to the Commissioners with a recommendation on how to handle the request.

Superintendent's monthly report was read and filed.

Mr. Logan reported that all analysis of wells and bacteriological sampling for the period January 5, 2022, to January 18, 2022, had been completed and all were within state and federal standards.

Mr. Logan then presented to the Commissioners a proposal from Joseph Todaro, P.E. of H2M architects + engineers for engineering services (bidding, contract administration, construction observation and valve sketches & as built drawings) for the Installation of Water Mains and Appurtenances, Woodbury Villas, Phase 2 in the amount of \$20,000.00. After discussion, and upon motion duly made and seconded, it was

RESOLVED, that the Commissioners approve H2M architects + engineers proposal for engineering services for the Installation of Water Mains and Appurtenances, Woodbury Villas Phase 2 for the total not to exceed fee of \$20,000.00 contingent upon receiving the signed developer's agreement along with their 25% deposit.

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

Mr. Logan then presented to the Commissioners Contract Modification No. 11 from Philip Ross Industries Inc. for JWD Contract No. C5-17, Well Nos. 9 & 14 Nitrate & VOC Removal Facility- General Contract for contract close out of credits for

unused line items resulting in a net credit of \$8,808.00. After discussion, and upon motion duly made and seconded, it was

RESOLVED, that the Commissioners approved Contract Modification No. 11 from Philip Ross Industries Inc. for JWD Contract No. C5-17, Well Nos. 9 & 14 Nitrate & VOC Removal Facility- General Construction for the net decrease of \$8,808.00 to the overall final cost of the project.

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

A discussion was held regarding Contract No. G5-20, Annual Maintenance Contract for Well and Booster Pumps and Motors. Mr. Logan informed the Commissioners that the current contract did not include a line item for the rewinding of a motor and requested authorization to work with Mr. Merklin and Mr. Ingham to revise the contract to include the line item for a motor rewind. After discussion, the Commissioners instructed Mr. Logan to work with D&B and Mr. Ingham to revise the contract with A.C. Schultes if they are in agreement.

The Commissioners tabled setting a bid date for the Replacement of the Syosset Tank until a future date.

Mr. Logan informed the Commissioners that he sent out a letter to the Village of Upper Brookville, informing them that the District is interested in purchasing an acre of land from them and is awaiting their response.

Miss Cannon informed the Commissioners that she spoke with Cullen & Danowski, the District's Auditors, who did not find any requirements or regulations that the District would need to adhere to for the sale or purchase of land. Cullen and Danowski recommended that the District get three to five quotes from real estate brokerage firms for the sale of the District owned properties located at 61 Saratoga Dr. (formerly Well 15), Jericho and 160 Robbins Ln. (formerly Well 10) Jericho. The Commissioners instructed Mr. Logan to solicit quotes from the real estate brokerage firms to begin the process.

Miss Cannon then presented and reviewed with the Commissioners a Cash Balance/Cash Deposit report as of January 17, 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 January 4, 2022 and January 17, 2022. After discussion, the report was ordered filed.



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

Miss Cannon then informed the Commissioners that the NYS minimum wage increased to \$15.00 per hour as of December 31, 2021. Miss Cannon explained that Giovanna Rinaldo is currently making \$15.25 per hour and that Thomas Fletcher is currently making \$14.50 per hour. After discussion and upon motion duly made and seconded, it was

RESOLVED that the Commissioners authorize a pay increase for Giovanna Rinaldo to \$18.72 per hour and Thomas Fletcher at \$18.46 per hour retroactive to January 1<sup>st</sup>, 2022.

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

Miss Cannon then requested that the Commissioners approve the following Budget Transfer(s) for expenses incurred through December 31<sup>st</sup>, 2021:

To fund Payroll for PP#01 2022 Accrued Back to 2021 (9 days)

A-8310-000-1100	Office FT Salaries	\$11,465.21
A-8310-000-1300	Office OT	\$ 4,148.98
A-8340-000-1300	Plant OT	\$ 2,244.61
A-8340-000-1310	Plant Salaries	\$ 142.86
A-8340-000-1100	Plant Salaries	(\$18,001.46)

To fund emergency water main and service repairs (Bancker)

A-8340-000-4650	Repairs to Wells & Distribution	\$50,000.00
A-8310-000-4000	Contingency	(\$50,000.00)

To fund negative balance in water supplies created by year end inventory adjustment

A-8340-000-4190	Water Supplies	\$46,127.75
A-8340-000-4150	Building & Maint. Supplies	(\$10,610.43)
A-8340-000-4430	Engineering Services	(\$19,000.00)
A-8340-000-4600	Uniforms	(\$ 2,000.00)
A-8340-000-4620	Road Patch	(\$ 4,000.00)
A-8640-000-4480	Other Professional Services	(\$10,517.32)

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

RESOLVED that the Commissioners approve the above listed budget transfer(s).

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 Contract No. G2-19 for Office Cleaning with Professional Cleaning People is expiring on February 5<sup>th</sup>, 2022. Miss Cannon contacted the vendor to ascertain if it would be possible for them to extend their contract at current prices through March 31<sup>st</sup>, 2022 to give the District more time to prepare the specs for the new RFP and they agreed. After discussion, and upon motion duly made and seconded, it was

RESOLVED that the Commissioners approve the extension of Contract No. G2-19 Office Cleaning with Professional Cleaning People at no increase through March 31<sup>st</sup>, 2022.

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

Miss Cannon then informed the Commissioners that Contract No. G13-20 Disinfecting Services with Professional Cleaning People automatically renewed on September 1<sup>st</sup>, 2021 at no increase. The renewal was mistakenly left off of the list of contracts the Commissioners approved for renewal in the Minutes from September 1<sup>st</sup>, 2021. Therefore, Miss Cannon requested the Commissioners formally document the extension of the contract through September 1<sup>st</sup>, 2022 at no increase. After discussion, and upon motion duly made and seconded, it was

RESOLVED, that the Commissioners approve the extension of Contract No. G13-20 Disinfecting Services with Professional Cleaning People through September 1<sup>st</sup>, 2022 at a 0% increase.

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

A discussion was held regarding the potential federal grant funding for water infrastructure under the Coronavirus State & Local Fiscal Recovery Funds. A small

fraction of which has come forth through the grant program(s) recently offered by Nassau County. One of the requirements to receive the federal funding is that the District must have a procurement policy in place that follows all federal rules and regulations for purchasing with federal funds. Miss Cannon recommended that the District have a separate stand-alone procurement policy to use in accordance with these federal grants. Since other surrounding water districts are all in the same predicament, Ms. Dina Scott, CPA, Business Manager of Plainview Water District is canvassing interest to collaboratively assemble an RFP to develop a standalone policy that is certain to encompass all of the required language in accordance with the specific purchasing guidelines of this federal program. The policy will be shared with all who elect to participate, and the cost will be split equally amongst the Districts. After discussion, the Commissioners elected to participate.

Miss Cannon then informed the Commissioners that she received a request for reduction of their 4<sup>th</sup> Quarter 2021 water bill on Account No. 45433000-0 by the owner due to a leak on their water service. (Miss Cannon informed the Commissioners that they had already approved an adjustment to the consumers 3<sup>rd</sup> quarter bill on 10/6/2021). Miss Cannon informed the Commissioners that a reduction to these bills 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 for the 4<sup>th</sup> quarter 2021 bill resulted in the total water charge being reduced to \$806.17 from \$1,123.19, a reduction equal to \$317.02. After discussion, the Commissioners approved the reduction and instructed Miss Cannon to send a revised bill.

Miss Cannon then reported that she reviewed the outstanding miscellaneous accounts receivable list that remains uncollected. Miss Cannon informed the Commissioners that there were five doubtful accounts that Mr. Ingham is still pursuing through civil lawsuits. Miss Cannon requested that the Commissioners consider authorizing the write off one doubtful account for the year ended December 31, 2021 in the amount of \$1,905.48. Miss Cannon reported that the District has made numerous unsuccessful attempts to collect on this outstanding invoice issued for damage of a water service from January of 2018. After discussion, the Commissioners authorized Miss Cannon to write off the account in the total amount of \$1,905.48 as of December 31, 2021.

Miss Cannon informed the Commissioners that she received a request to waive a penalty on Account No. 55601590-0 in the amount of \$89.30. Miss Cannon informed the Commissioners that no penalty had been waived in the last five (5) years on this account. 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.

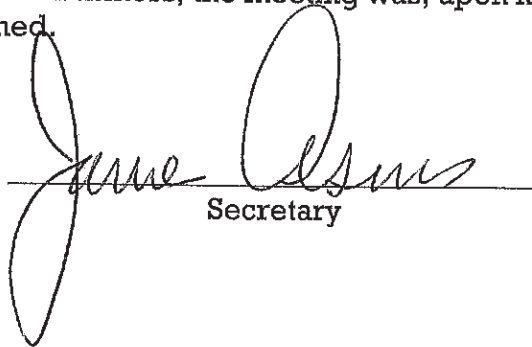
Miss Cannon informed the Commissioners that she received a request to waive a penalty on Account No. 30203700-0 in the amount of \$79.13. Miss Cannon informed the Commissioners that no penalty had been waived in the last five (5) years on this account. After discussion, the Commissioners authorized Miss Cannon to waive the penalty on the account and instructed her to send a revised bill to the consumer.

Pending agenda items list was read and filed.

The Board of Commissioners went into Executive Session at 9:57 a.m. to discuss personnel and legal matters and returned at 10:10 a.m. with no action taken.

The following claims were then audited and approved for payment: General Fund #26134 to #26177, Construction Fund #2585 to #2590 and Installation Fund #4149 to #4150.

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

  
Secretary